



**AGENDA**  
**TOWN OF DRUMHELLER**  
REGULAR MEETING

TIME & DATE: 4:30 PM – Monday July 18, 2022

LOCATION: Council Chambers, 224 Centre St and ZOOM Platform and Live Stream on Drumheller Valley YouTube Channel

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1. CALL TO ORDER

2. OPENING COMMENTS

3. ADDITIONS TO THE AGENDA

4. ADOPTION OF AGENDA

4.1 Agenda for July 18, 2022 Regular Council Meeting

**Proposed Motion:** That Council adopt the agenda for the July 18, 2022 Regular Council meeting as presented.

5. MEETING MINUTES

5.1 Minutes for the July 4, 2022, Regular Council Meeting as presented.

[Regular Council Meeting – 04 July 2022 - Minutes](#)

**Proposed Motion:** Move that Council approve the minutes for the July 4, 2022, Regular Council Meeting as presented.

6. ADMINISTRATION REPORTS

6.1 CHIEF ADMINISTRATIVE OFFICER

6.1.1 Request for Decision: Councillor Hansen – Zacharuk Absence Extension Resolution

[RFD](#)

**Proposed Motion:** Be it resolved that Council permit Councillor Hansen-Zacharuk a leave of absence due to medical issues as per Municipal Government Act Section 174 (2) with pay for an eight (8) week period.

6.1.2 Request for Decision: Proposed Update to the Traffic Bylaw

[RFD + Bylaw 10.22](#)  
[Original Bylaw 01.03](#)

**Proposed Motion:** Move that Council give first reading to Traffic Bylaw 10.22 as presented.

6.1.3 Request for Decision: Proposed Borrowing Bylaw 08.22 for the Penitentiary Water Booster Station – 2<sup>nd</sup> and 3<sup>rd</sup> Reading

[RFD + Bylaw](#)  
[Debt Limit Calculation](#)  
[Debt Management Policy C-02-04](#)

**Proposed Motion:** Move that Council give second reading to Penitentiary Water Booster Station Borrowing Bylaw 08.22 as presented.

Move that Council give third reading to Penitentiary Water Booster Station Borrowing Bylaw 08.22 as presented.

6.1.4 Request for Decision: Proposed Borrowing Bylaw 09.22 for the Drumheller Flood Mitigation Project – 2<sup>nd</sup> and 3<sup>rd</sup> Reading

[RFD + Bylaw](#)  
[Debt Limit Calculation](#)  
[Debt Management Policy C-02-04](#)  
[Bylaw 04.14 + Bylaw 05.17](#)

**Proposed Motion:** Move that Council give second reading to the 2022 Drumheller Flood Mitigation Borrowing Bylaw 09.22 as presented.

Move that Council give third reading to the 2022 Drumheller Flood Mitigation Borrowing Bylaw 09.22 as presented.

6.2 DIRECTOR OF INFRASTRUCTURE

6.2.1 Request for Decision: Demolition and Remediation Award of the Drumheller Health Centre and 25 Roper Road Dwelling  
In attendance: Colliers, Project Leaders

[RFD + Award Recommendation Letter](#)

**Proposed Motion:** Move that Council award the remediation and demolition work for the old Health Centre and 25 Roper Road to McColman & Sons Demolition Ltd. for a total cost of \$ 751,350.00, excluding GST.

6.2.2 Request for Decision: Support of Trans Canada Trail Application

[RFD + Map](#)

**Proposed Motion:** Move that Council supports the application to the Trans Canada Trail for a local trail extension along the unused CN Rail lines within the Town limits.

7. CLOSED SESSION

7.1 Management of Personnel – FOIP 24 – Advice from Officials

**Proposed Motion:** Moves that Council close the meeting to the public to discuss items under Section 7.1 of the July 18, 2022 Agenda as per FOIP 24 – Advice from Officials.

8. ADJOURNMENT

8.1 **Proposed Motion:** That Council adjourn the meeting.



**MINUTES**  
**TOWN OF DRUMHELLER**  
REGULAR MEETING

TIME & DATE: 4:30 PM – Monday July 4, 2022

LOCATION: Council Chambers, 224 Centre Street and ZOOM Platform  
and Live Stream on Drumheller Valley YouTube Channel Link

<https://www.youtube.com/watch?v=vIOx9eK8GSo>

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IN ATTENDANCE

Mayor Heather Colberg

Councillor Patrick Kolafa

Councillor Tony Lacher

Councillor Stephanie Price

Councillor Crystal Sereda

Councillor Tom Zariski

Chief Administrative Officer (CAO): Darryl Drohomerski

Director of Corporate and Community Services: Mauricio Reyes

Director of Emergency and Protective Services: Greg Peters

Director of Infrastructure: Dave Brett

Resiliency and Flood Mitigation Project Manager: Mark Steffler

Communications Officer: Erica Crocker

Manager of CDSP: April Harrison

APPROVED ABSENCE

Councillor Lisa Hansen-Zacharuk

Legislative Assistant: Libby Vant

Reality Bytes IT: David Vidal

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1. CALL TO ORDER

Mayor Colberg called the meeting to order at 4:30 pm.

2. OPENING COMMENTS

Mayor Colberg thanked all of the Town staff and the many volunteers who assisted with making July 1<sup>st</sup> an incredible event this year. She thanked Deputy Mayor Sereda for attending all of the Canada Day events and the councillors who were able to attend.

July 12 – official ribbon cutting for CN Rail trail way with Tyler Banick; the goal is to have a portion of the new trail accessible by the end of 2022.

3. ADDITIONS TO THE AGENDA

None

4. ADOPTION OF AGENDA

4.1 Agenda for July 4, 2022 Regular Council Meeting

**M2022.147** Moved by Councillor Lacher, Councillor Kolafa;  
that Council adopt the agenda for the July 4, 2022 Regular Council meeting as  
presented.

Carried unanimously

5. MEETING MINUTES

5.1 Minutes for the June 20, 2022, Regular Council Meeting as presented.

**M2022.148** Moved by Councillor Sereda, Councillor Kolafa;  
that Council approve the minutes for the June 20, 2022, Regular Council Meeting  
as presented.

Carried unanimously

4:33pm Councillor Price joined the meeting via Zoom.

6. ADMINISTRATION REPORTS

Time Stamp: <https://youtu.be/vlOx9eK8GSo?t=195>

6.1 CHIEF ADMINISTRATIVE OFFICER

6.1.2 Request for Decision: Proposed West Newcastle Road Closure Bylaw 11.22

[RFD + Bylaw](#)

**M2022.149** Moved by Councillor Zariski, Councillor Lacher that Council give first reading to the  
West Newcastle Road Closure Bylaw 11.22 and set a Public Hearing for August 2,  
2022 as presented.

Carried unanimously

6.1.3 Request for Decision: Proposed East Newcastle Road Closure Bylaw 12.22

[RFD + Bylaw](#)

**M2022.150** Moved by Councillor Lacher, Councillor Sereda that Council give first reading to the  
East Newcastle Road Closure Bylaw 12.22 and set a Public Hearing for August 2,  
2022 as presented.

Carried unanimously

6.1.3 Request for Decision: Proposed Midland Road Closure Bylaw 13.22

RFD + Bylaw

**M2022.151** Moved by Councillor Kolafa, Councillor Price that Council give first reading to the Midland Road Closure Bylaw 13.22 and set a Public Hearing for August 2, 2022 as presented.

Carried unanimously

6.2 DIRECTOR OF CORPORATE & COMMUNITY SERVICES

Time Stamp: <https://youtu.be/vlOx9eK8GSo?t=1185>

6.2.1 MANAGER OF COMMUNITY DEVELOPMENT AND SOCIAL PLANNING

Request for Decision: Building Community Resilience by Ending Working Poverty Project (EWP)

RFD

**M2022.152** Moved by Councillor Sereda, Councillor Price that the Town of Drumheller support the establishment of the Ending Working Poverty Project in Drumheller by allocating funds of \$97, 000 over three (3) years and by providing in-kind support such as IT equipment and Communications team support to the project, as required.

Carried unanimously

7. QUARTERLY REPORTS

Time Stamp: <https://youtu.be/vlOx9eK8GSo?t=2125>

7.1 Chief Administrative Officer Department

This report includes information about the following Departments: Economic Development, Human Resources and Communications

7.2 Director of Corporate and Community Service Department

The report includes information about the following Departments: Community Development and Social Planning, and Recreation, Arts and Culture

7.3 Director of Emergency and Protective Services

This report includes information about the following Departments: Fire Services

7.6 Director of Infrastructure  
This report includes information about the following Departments: Operations, Utilities,  
Water and Wastewater Treatment Plant, Town Owned Facilities

7.7 Resilience and Flood Mitigation Project Manager

8. ADJOURNMENT

8.1

**M2022.153** Moved by Councillor Lacher, Councillor Sereda that Council adjourn the meeting at  
6:26 pm.

Carried unanimously

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

## REQUEST FOR DECISION

<b>TITLE:</b>	Leave of Absence – Councillor Hansen-Zacharuk
<b>DATE:</b>	July 14, 2022
<b>PRESENTED BY:</b>	Darryl Drohomerski, C.E.T., CAO
<b>ATTACHMENT:</b>	

**SUMMARY:**

As a result of unforeseen medical reasons, Councillor Hansen-Zacharuk is requesting a leave of absence from her role for approximately an eight-week period. The Municipal Government Act, Section 174 (2) allows for such an absence with a resolution by Council.

**RECOMMENDATION:**

Administration recommends that Council permit Councillor Hansen-Zacharuk a leave of absence due to medical issues as per Municipal Government Act Section 174 (2) with pay for an eight (8) week period.

**DISCUSSION:**

Councillor Hansen-Zacharuk is continuing treatments for her medical condition that can prevent her from carrying out her duties as a Councillor over the next several weeks. It is recommended that a leave of absence is granted to allow Councillor Hansen-Zacharuk to concentrate on her wellbeing.

**FINANCIAL IMPACT:**

There is no financial impact to granting this request

**STRATEGIC POLICY ALIGNMENT:**

This aligns with Council’s priority of good and proper governance.

**COMMUNICATION STRATEGY:**


Councillor Hansen-Zacharuk will be notified of the outcome of this resolution.

**MOTION:**

Be it resolved that Council permit Councillor Hansen-Zacharuk a leave of absence due to medical issues as per Municipal Government Act Section 174 (2) with pay for an eight (8) week period.

**SECONDED:**

Prepared By:

  
 \_\_\_\_\_  
 Darryl Drohomerski  
 Chief Administrative Officer

Approved By:

  
 \_\_\_\_\_  
 Darryl Drohomerski  
 Chief Administrative Officer



## REQUEST FOR DECISION

<b>TITLE:</b>	Traffic Bylaw 10.22
<b>DATE:</b>	July 18, 2022
<b>PRESENTED BY:</b>	Greg Peters/Darryl Drohomerski, C.E.T, CAO
<b>ATTACHMENT:</b>	Appendix 1 – Bylaw 10.22 Traffic Bylaw – First Reading

**SUMMARY:**

The current Traffic Bylaw 01.03 is outdated and needs revision, as parts of 01.03 are no longer relevant. The new additions in Bylaw 10.22 will give better information to the people of Drumheller as to what is permissible, as well as making the wording clearer and easier for all to understand with respect to traffic controls within the municipality.

**RECOMMENDATION:**

That Council give first reading to Traffic Bylaw 10.22 as presented.

**DISCUSSION:**

During a review of the current Traffic Bylaw 01.03, it became apparent that this bylaw is outdated and refers to provincial statutes no longer in existence.

Bylaw 10.22 has been updated with a new list of definitions, which now includes all new technologies and modes of transportation not relevant in the previous version passed 19 years ago. There have been updates to the sections of parking, with updated terminology and more in-depth and detailed subsections that cover a wide arrange of situations that do habitually come up. This new Bylaw also includes sections on vehicle idling, vehicle on jack stands, abandoned vehicles, disability parking and various other topics not covered in the previous Bylaw.

This new bylaw also gives clearer information for citizens as to what is and isn't allowed for all types of vehicles, as well as changes made in the public interest.

**FINANCIAL IMPACT:**

N/A

**STRATEGIC POLICY ALIGNMENT:**

Good governance, public safety and updating records for clarity.

**COMMUNICATION STRATEGY:**

Open houses with the Protective Services team will be utilized to attain citizen feedback on the new Bylaw prior to a second reading being scheduled. Information will also be put forth on the various social media platforms. These open houses will be in early September in order to offer as many residents as possible the opportunity to participate.


**MOTION:**

That Council give first reading to Traffic Bylaw 10.22 as presented.

**SECONDED:**



Prepared By:  
Greg Peters  
Director of Emergency and Protective Services



Approved By:  
Darryl Drohomerski, C.E.T.  
Chief Administrative Officer

**TOWN OF DRUMHELLER  
BYLAW NUMBER 10.22**

*Repeals 01.03*

**BEING A BY-LAW OF THE TOWN OF DRUMHELLER FOR THE PURPOSES OF REGULATING AND CONTROLLING VEHICULAR, PEDESTRIAN AND ANIMAL TRAFFIC IN THE TOWN OF DRUMHELLER.**

**WHEREAS** the Traffic Safety Act authorizes a municipality to regulate and control; Vehicle, Pedestrian, and animal traffic, Parking on the streets and on other property within the municipality;

**WHEREAS** the MGA enables a Council to pass Bylaws and delegate authority in respect of Highways under it's direction, control, management and transport thereon;

**AND WHEREAS** the purpose of the municipality includes providing services that in the opinion of Council are necessary and desirable for public safety;

**NOW THEREFORE**, the Municipal Council of the Town of Drumheller enacts as follows:

**SECTION 1 - INTERPRETATION AND DEFINITIONS**

- 1.1 This Bylaw may be cited as the Town of Drumheller Traffic Bylaw.
- 1.2 Nothing in this Bylaw relieves a Person from complying with any federal, provincial law or regulation or other Bylaw.
- 1.3 Where this Bylaw refers to a Person or thing with reference to gender or the gender neutral the intention is to read the Bylaw with the gender applicable to the circumstances.
- 1.4 References to the plural include the singular as applicable.
- 1.5 The words include, includes and including are to be read as not limiting the phrases of descriptions that precede them.
- 1.6 Any reference to specific laws already in force and applicable in the province of Alberta as at the same Time that this Bylaw was enacted will be stipulated and referred to as such in the Bylaw. Provincial laws will be referenced as to the relevant chapter of the Revised Statues of Alberta 2000, as amended from Time to Time including succeeding legislation. Federal laws will be referenced as to the relevant chapter of the Revised Statues of Canada 1985 as amended from Time to Time including succeeding legislation.

- 1.7 Any reference in this Bylaw to a closure, section or part unless otherwise stipulated is a reference to a clause, section or part in this Bylaw.
- 1.8 Wherever a work is used in this Bylaw the meaning of that word is as specified in the definitions section of this Bylaw. Words not specified in the definitions section will have their regularly applied meaning in the English Language.
- 1.9 Any clause, section or part of this Bylaw that may be declared invalid for any reason by a court of competent jurisdiction will be disengaged from the Bylaw and other provisions of this Bylaw shall remain enforceable and valid.

**DEFINITIONS** - For purposes of this Bylaw, all definitions and interpretations of the Traffic Safety Act and all subsequent regulations shall apply, unless otherwise defined in this Bylaw, as follows:

- A. "Alley" means a Roadway which primarily serves to provide access to the rear of buildings and parcels of land.
- B. "Bicycle" and "Tricycle" means a Vehicle composed of two wheels held in a frame one behind the other, propelled by pedals and steered with handlebars attached to the front wheel.
- C. "Bus" means a large motor Vehicle, having a long body, equipped with seats or benches for passengers, usually operating as part of a scheduled service passenger Vehicle that is owned or operated as part of the municipal Bus system, a school board or contracted operator for a school board to transport students, or private entity.
- D. "Bylaw Enforcement Officer" means any regular member of the Royal Canadian Mounted Police, any Peace Officer or Municipal Enforcement Officer employed by the Town of Drumheller in accordance with the Municipal Government Act
- E. "C-can" or "Sea Can" means a specific type of portable storage container which is a metal freight container that is used for the temporary storage of materials and equipment.
- F. "Center Line" means the center of a roadway measured from the Curbs or, in the absence of Curbs, from the edges of the roadway,
- G. "Chief Administrative Officer" or "CAO" means the Person appointed by Council to be the CAO of the Town in accordance with Council Bylaw.
- H. "Commercial Vehicle" means a Vehicle operated on a Highway by or on behalf of a Person for the purpose of providing transportation but does not include a Private Passenger Vehicle.
- I. "Council" means the Council of the Town of Drumheller, duly assembled and acting as such.

J. "Crosswalk" means:

- i) That part of a roadway at an Intersection included within the connection of the lateral line of the sidewalks on opposite side of the Highway measured from the Curbs, or in the absence of Curbs, from the edges of the roadway; or
- ii) Any part of a roadway at an Intersection of elsewhere distinctly indicated for Pedestrian crossing by Traffic Control Devices or by line or by other markings on the surface;

K. "Curb" means the concrete or asphalt edge of a Roadway, or the division point between a Roadway and a Boulevard or sidewalk.

L. "Dangerous Goods" means any product, substance or organism included by its nature or by the regulations to the Dangerous Goods Transportation and Handling Act in any of the classes listed in the Schedule to the Dangerous Goods Transportation and Handling Act.

M. "Electric Scooter" or "E-Scooter" means a Vehicle consisting of a footboard mounted on two wheels and a long steering handle, propelled by resting one foot on the footboards and pushing the other against the ground and that is assisted by an electric motor.

N. "Dangerous Goods Permit" means permits issued by the appropriate authority that evidences permission to transport Dangerous Goods on a Highway

O. "Dangerous Goods Route" means any roadway designated by the Town upon which Trucks are authorized to travel while carrying Dangerous Goods.

P. "Disabled Persons Vehicle" means a Vehicle that displays a disabled placard or license plate that issued or recognized by the Registrar of Motor Vehicle Services (or any Person who, on the directions of the Registrar, is acting on behalf of the Registrar of Motor Vehicle Services).

Q. "Emergency Vehicle" means:

- i) A Vehicle operated by a police service or a law enforcement service,
- ii) A fire-fighting or other type of Vehicle operated by the fire protection service
- iii) An ambulance operated by a Person or organization providing ambulance services;

R. "Fire Chief" means the Person appointed by the CAO as Fire Chief that is head of the Drumheller Fire Service or any other Person designated by the Manager to act on his behalf.

S. "Gross Weight" means:

- i) In respect of a single axle of a Vehicle, the total weight that a single axle transmits to a Highway;
- ii) In respect of an axle group of a Vehicle, the sum of the weights transmitted to a Highway by all the axles within the axle group.
- iii) In respect of a tire of a Vehicle, the total weight that the tire transmits to a Highway;

- iv) In respect to a Vehicle, the total weight of a Vehicle or combination of Vehicles calculated as the sum of the weights transmitted to a Highway through each of the axles.

T. “Heavy Vehicle” means a Commercial Vehicle, or a Vehicle with Trailer attached, having a maximum gross Vehicle weight of 4500 kg or more, or 12.5 meters in total length.

U. “Highway” means any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, Alley, square, bridge, causeway, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or Parking of Vehicle, and includes:

- i) A sidewalk, including a boulevard adjacent to the sidewalk,
- ii) If a ditch lies adjacent to and parallel to the roadway, the ditch, and
- iii) If a Highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fence and the edge of the roadway as the case may be, but does not include a place declared by regulation not to be a Highway.

V. “Disabled Loading Zone” means a portion of a street set aside adjacent to a Curb designated for the exclusive use of Vehicles for the loading or unloading of disabled passengers and includes an area designated as such;

W. “Industrial Vehicle” means any Vehicle used for the loading or unloading of merchandise or other object from a Vehicle. This does not include manpower.

X. “Inoperative Vehicle” means any Vehicle which cannot be legally operated on the street because of lack of registration, lack of engine, transmission, wheels, windshield or any other part or equipment necessary to operate on public streets and/or Highways.

Y. “Intersection” means an at-grade junction where two or more roads meet or cross.

Z. “Mobile Unit” means any structure whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another by being towed or carried and to provide living accommodation for or other use by one or more Persons.

AA. “Municipal Enforcement Officer” – see Bylaw Enforcement Officer

BB. “Municipal Government Act” means the Municipal Government Act of Alberta, RSA 2000, c. M-26, as amended, repealed or replaced.

CC. “Obstruction” means an encroachment, excavation, structure or other obstacle, which interferes or may be expected to interfere with sight lines, or the safe passage, maintenance or use of Highways or Public Places by Vehicles or Pedestrians.

DD. "Off-Highway Vehicle" is as defined in Section 117 of the Traffic Safety Act, R.S.A 2000, c. T-6, as amended, repealed, or replaced.

EE. "Owner" means the Person who owns a Vehicle and included any Person renting a Vehicle or having exclusive use of a Vehicle under a lease that has a term of more than 30 days or otherwise having the exclusive use of a Vehicle for a period of more than 30 days.

FF. "Parade or Procession" a public procession, especially one celebrating a special day or event and including marching bands and floats.

GG. "Park" means to allow a Vehicle (whether occupied or not) to remain standing in one place except;

- i) When standing temporarily for the purpose of and while actually engaged in loading and unloading of passengers; or
- ii) When standing in obedience to a Peace Officer or Traffic Control Device.

HH. "Parkland" means any grassed, cultivated or otherwise improved land used for the purposes of a Playground or recreation area, any public park, parkway or square. This definition shall not include golf courses.

II. "Peace Officer" means a member of the Royal Canadian Mounted Police (R.C.M.P), a Community Peace Officer appointed by the Solicitor General of Alberta in accordance with the Peace Officers Act R.S.A. 2006 Chapter p-3.5. or other federally or provincially designated Peace Officer in accordance with legislation

JJ. "Pedestrian" means a Person on foot and a Person in or on a mobility aid.

KK. "Person" includes any individual, corporation, society, association, partnership or firm.

LL. "Playground Area" means a section of a roadway that is denoted by Playground Area signage only.

MM. "Playground / School Zone" means a section of a roadway that is denoted by School Zone or Playground Zone signage and a Thirty (30) kilometer per hour (km/h) speed limit sign. Each sign will be posted with start Time and end Time and are in effect seven (7) days a week, Three-Hundred sixty-five (365) days a year.

NN. "Private Passenger Vehicle" means a Vehicle used solely for Personal transportation.

OO. "Public Place" means an indoor or outdoor area, whether privately or publicly owned, to which the public have access by right or by invitation, expressed or implied, whether by payment of money or not, but not a place when used exclusively by one or more individuals for a private gathering or other Personal purpose.

PP. “Roadata” means a commercial Truck online permitting system of service to both Alberta Municipalities and industry clients relating to the movement of heavy Trucks over rural roads and any travel on municipally owned Highways.

QQ. “Recreational Vehicle” means a Vehicle used or intended for primarily recreational use, and without restricting the generality of the foregoing, includes any motor home, holiday Trailer, Trailer, camper, tent Trailer, any van or Bus converted for use as a Recreational Vehicle, boat Trailer, ATV Trailer or noncommercial utility Trailer.

RR. “Residential Area” shall refer to lands districted as Residential, with Residential districts including those districts identified in the Land Use Bylaw, and shall include any Highways or public property abutting such districts.

SS. “Road Ban” means an axle weight restriction imposed by the Town in respect of a Highway, pursuant to this Bylaw.

TT. “School Bus” means a Bus that is used primarily to transport students to and from school.

UU. “Street Furniture” means items such as poles, Traffic Control Devices, waste receptacles, benches, Bus enclosures, trees, plants, grass, utilities, planters, Bicycle racks, newspaper boxes or any other similar property placed on a Highway or woonerf.

VV. “Taxi” means a licensed Vehicle for hire in the City to pick up and transport passengers, while on duty, whether or not passengers are embarked.

WW. “Temporary Construction Barricade” means any fencing, boarding or barrier required to enclose an Obstruction on a Highway or Public Place for the purpose of construction.

XX. “Time” means either Mountain Standard Time or Mountain Daylight Savings Time, whichever is proclaimed to be in effect by the Province of Alberta.

YY. “Track” or “Tracking” means to allow, cause or permit any substance or material of any nature or kind whatsoever to become loose, detached, blow, drop, spill, or fall from any Vehicle, accessories or tires onto any Highway.

ZZ. “Traffic Control Device” means any sign, signal, signal, marking or device placed, marked or erected under the authority of this Bylaw or under the Traffic Safety Act of Alberta RSA 2000, c. T-6.

AAA. “Traffic Safety Act” means the Traffic Safety Act of Alberta RSA 2000, c. T-6, as amended, repealed or replaced.

BBB. “Trailer” means a Vehicle so designated that it;

- i) May be attached to or drawn by a motor Vehicle or tractor, and



- ii) Is intended to transport property or Persons, and includes a Vehicle defined by regulation as a Trailer but does not include machinery or equipment solely used in the construction or maintenance of Highways.

CCC. "TRAVIS Permit" means Transportation Routing and Vehicle Information System. Travis and Roadata issues a permit to travel through a municipality for oversize and overweight loads. Information is collected by the Province for a fee and allocates a portion back to the municipality for road damage and administration costs.

DDD. "Truck" means any Vehicle, other than a registered Disabled Persons Vehicle, Recreations Vehicle, School Bus or Transit Bus, that is:

- i) Greater than twelve (12) meters in length, or
- ii) Registered (in any jurisdiction) to operate at a maximum Gross Weight of 4500 kg or more.

EEE. "Truck Route" means Highways under the direct control of the province of Alberta and shall exclude all municipal streets and services roads adjacent to them.

FFF. "Vehicle" means a device in, on or by which a Person or thing may be transported or drawn on a Highway and includes a combination of Vehicles but does not include a mobility aid.

GGG. "Vendor Stand" means structure advertising, displaying or containing goods or services for sale.

HHH. "Violation Tag" means a tag or similar document issued by the Town pursuant to the Municipal Government Act.

III. "Violation Ticket" means a notice issued under Part two (2) or Part three (3) of the Provincial Offences Procedure Act as amended, replaced or repealed.

JJJ. "Waste Bin" or what is commonly referred to as a dumpster is a type of movable and portable metal waste container designed to be brought and taken away by a special collection Vehicle, or to a bin that a specially designed garbage Truck lifts, empties into its hopper, and lowers, on the spot.

## **SECTION 2 - TRAFFIC CONTROL DEVICE**

- 2.1 No Person may act contrary to any Traffic Control Device situate on public property.
- 2.2 The Town may cause temporary Traffic Control Devices to be placed along a portion of a Highway or any other place, for the purpose of facilitating construction, maintenance, repair work or any other reason, including removal of snow and ice.
- 2.3 All temporary Traffic Control Devices carry the same authority and penalty as a permanent Traffic Control Devices.

- 2.4 Duly placed temporary Traffic Control Devices shall supersede any other Traffic Control Device located in the vicinity.
- 2.5 A Traffic Control Device may provide an effective Time period, for which the provisions of that temporary Traffic Control Device shall go into effect. No Person shall act or allow action in a manner contrary to that Traffic Control Device when the Time period is in effect.
- 2.6 No Person shall alter, move or in any way change any Traffic Control Device either permanent or temporary at any Time.
- 2.7 Subsection 2.6 of this Bylaw shall not apply to any Person, duly designated to alter a Traffic Control Device for the purposes of maintenance, construction or relocation. This exemption includes Town workers and emergency services.
- 2.8 No Person shall pass beyond a control point or otherwise disregard direction given them at any location as part of a response to an emergency event and so occupied by a Peace Officer, a Member of the Fire Department, flag Person or Traffic Control Device.

### **SECTION 3 – PARKING ON SIDEWALK AND BOULEVARD**

- 3.1 Unless a Traffic Control Device permits or requires, a Vehicle shall not be Parked on a sidewalk or boulevard or any part of a sidewalk or boulevard.

### **SECTION 4 - EXEMPTION FROM PARKING PROVISIONS**

- 4.1 Notwithstanding anything elsewhere contained in this Bylaw the provisions relating to stopping or Parking of Vehicles engaged in the course of their normal course of duty do not apply to:
- i) Emergency Vehicles
  - ii) Service Vehicles used in conjunction with the servicing of public utilities including telephone systems, electric systems, natural gas systems and cablevision systems
  - iii) Municipal and other Government Public Works Vehicles
  - iv) Towing service Vehicles; while any such Vehicle is being used in work requiring that it be stopped or Parked at that location.

### **SECTION 5 - NO PARKING**

- 5.1 A Vehicle shall not stop or be Parked on a Highway in any location identified as a zone where Parking is prohibited.

5.2 A Vehicle shall not be stopped on a Highway in any location identified as a zone where stopping is prohibited.

5.3 A Vehicle shall not be stopped on a Highway where the Vehicle will obstruct the flow of traffic.

## **SECTION 6 - CROSSWALKS**

6.1 A Vehicle shall not be Parked:

- i) On a Crosswalk or any part of a Crosswalk; or
- ii) Within five (5) meters of the near side of a marked Crosswalk.

## **SECTION 7 - STOP OR YIELD SIGNS**

7.1 A Vehicle shall not be Parked within five (5) meters on either side of a stop sign.

## **SECTION 8 - INTERSECTIONS**

8.1 Unless a Traffic Control Device permits or requires, a Vehicle shall not be Parked:

- i) At an Intersection within five (5) meters of the projection of the Curb or edge of the roadway;
- ii) Within an Intersection other than immediately next to the Curb or edge of the roadway in a "T" Intersection; or
- iii) Within 1.5 meters of an access to a garage, private road or driveway or a Vehicle crossway over a sidewalk.
- iv) Beside any Curb or Traffic Control Device that displays yellow paint.

## **SECTION 9 - FIRE HYDRANTS**

9.1 Except as permitted in this section a Vehicle shall not be stopped on a Highway within five (5) meters of a fire hydrant or, when the hydrant is not located at the Curb, within five (5) meters from the point on the Curb nearest the fire hydrant.

## **SECTION 10 - DOUBLE PARKING**

10.1 A Vehicle shall not be Parked on the roadway side of a Vehicle that is Parked at the Curb or edge of the roadway.

## **SECTION 11 - DIVIDED HIGHWAY**

11.1 A Vehicle shall not be Parked on that portion of the Highway that is to the left of the yellow line if the Highway is divided into two or more roadways by a boulevard, ditch or other physical barrier.

## **SECTION 12 - ALLEY PARKING**

- 12.1 A Vehicle shall not be Parked in an Alley in a manner that obstructs the safe movement of vehicular traffic.

## **SECTION 13 – PARKLAND/ENVIRONMENTAL RESERVE/TOWN OWNED PROPERTY/OFF HIGHWAY VEHICLES**

- 13.1 No Person shall operate or Park any Vehicle or off Highway Vehicle upon any Parkland, environmental reserve, skating rink, recreational area, tennis court, park, Playground or school ground or any Town owned property except as authorized by this Bylaw.
- 13.2 No Person shall operate an Off Highway Vehicle upon any Highway.
- 13.2 Subsection 13.1 of this Bylaw shall not apply to Vehicles or off Highway Vehicles operated during emergency response or Town authorized work by Town agents or contractors, police, Peace Officers or members of the fire department engaged in the performance of their authorized duties.

## **SECTION 14- MARKED SPACE**

- 14.1 A Vehicle Parked on a Highway in a location marked by lines or otherwise shall be Parked entirely within the markings.

## **SECTION 15 - OBSTRUCTION**

- 15.1 A Vehicle shall not be Parked on a Highway in a manner that blocks or obstructs:
- i) The movement of traffic on the Highway;
  - ii) A doorway to a building, any Pedestrian walkway or handicap access to a sidewalk,
  - iii) Access to any fire station, police station, hospital or other place where Emergency Vehicles require access.
- 15.2 Notwithstanding subsection 15.1 of this Bylaw, where the Obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this Bylaw provided they take measures as soon as practicable to remove such Vehicle from the Highway.
- 15.3 No Person shall construct or place an Obstruction of any kind such as a large metal Waste Bin or what is commonly referred to as a dumpster or a C-Can, in, upon or above any Highway unless granted a Town permit.
- 15.4 In the event of an emergency or where the Obstruction is deemed to pose a danger to users of a Highway, the Town may cause the immediate removal of the Obstruction

without notice shall be at the expense of the Person causing, placing or permitting the Obstruction on the Highway or Public Place.

- 15.6 The permit holder shall be required to produce the permit upon request of the CAO or authorized designate.
- 15.7 Where an Obstruction of any kind exists in, upon or above a Highway or Public Place and creates an unsafe condition, the Town shall be entitled to take such measures as are required for the protection of life or property.

#### **SECTION 16 - RECREATIONAL VEHICLE RESTRICTIONS**

- 16.1 A Recreational Vehicle shall not be Parked on a Highway unless it is Parked in a location completely adjoining the Recreational Vehicle Owner's residence as shown in the records of the Motor Vehicle Registry.
- 16.2 A Recreational Vehicle parked pursuant to this section:
- i) Shall not be Parked for more than seventy-two (72) consecutive hours; and
  - ii) Shall be removed to an off-Highway location for at least forty-eight (48) consecutive hours before it may be Parked again on a Highway,
  - iii) All extendable slides shall be collapsed.
- 16.3 A Recreational Vehicle Parked on a Highway shall not be occupied.
- 16.4 Notwithstanding anything else in this section, an Owner or operator of a Recreational Vehicle must not Park the Recreational Vehicle on any Highway in the Town in such a manner as to constitute a hazard to other Persons using the street.

#### **SECTION 17 - UNATTACHED TRAILER PARKING**

- 17.1 Notwithstanding any other provision of this Bylaw, a Trailer shall not be Parked on a Highway unless the Trailer is attached to a Vehicle by which it may be drawn.
- 17.2 A Trailer may be Parked on any Highway in the Town unattached to any Vehicle for up to a period of three days but the Trailer must be secured in place with wheel chocks, tongue support and any other reasonable measure to render it immobile and not a safety hazard. Such a Trailer must be Parked and occupy similar space to a motor Vehicle if Parked in the same location.
- 17.3 No Person shall use a Mobile Unit, or permit any other Person to use a Mobile Unit for overnight residency, where that Mobile Unit is located upon a Highway or upon public property unless that property has been designated by the Town for use as a Mobile Unit park or trailer court.

#### **SECTION 18 - PARALLEL PARKING**

18.1 A Vehicle Parked on a Highway shall be Parked with:

- i) The sides of the Vehicle parallel to the Curb or edge of the roadway, and
- ii) The right wheels of the Vehicle not more than five hundred (500) millimeters from the right Curb or edge of the roadway.

18.2 A motorcycle may be Parked:

- i) At an angle, other than perpendicular, to the Curb or edge of the roadway, and with:
- ii) A wheel of the motorcycle not more than five hundred (500) millimeters from the Curb or edge of the roadway, and
- iii) The motorcycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motorcycle is Parked.

18.3 Subsection (1) does not apply where angle Parking is permitted or required.

## **SECTION 19 - ANGLE PARKING**

19.1 When:

- i) A sign indicates that angle Parking is permitted or required, and
- ii) Parking guide lines are visible on the roadway, a Vehicle shall be Parked with the Vehicle's sides between and parallel to any two of the guide lines.

19.2 When:

- i) A sign indicates that angle Parking is permitted or required, and
- ii) No Parking guide lines are visible on the roadway, a Vehicle shall be Parked with the Vehicle's sides at an angle of between thirty (30) and sixty (60) degrees to the Curb or edge of the roadway and

19.3 A Vehicle with a total length exceeding 5.8 meters shall not be Parked at an angle on a Highway.

## **SECTION 20 - IDLING VEHICLE**

20.1 No Person shall Park any Vehicle with a motor running for more than twenty (20) minutes.

20.2 No Person shall Park any Vehicle with a motor running in such a manner or at such a location as to cause a disturbance.

20.3 A Vehicle shall not be deemed to be idling in contravention of section 20.1 if:

- i) A Vehicle idling due to traffic, an emergency or mechanical difficulty;
- ii) Armored Vehicles engaged in the secure delivery and pick up of goods;
- iii) Emergency Vehicles;
- iv) Vehicles that must remain idling so as to power a heating or refrigeration system required for the preservation or maintenance of cargo;
- v) Vehicles that must remain idling so as to power any tools or equipment required for or incidental to the provision of services by a municipality or public utility.

## **SECTION 21 - VEHICLE ON JACK**

21.1 A Vehicle shall not be Parked and left unattended on a Highway if:

- i) The Vehicle is on a jack or similar device; and
- ii) One or more wheels have been removed from the Vehicle or part of the Vehicle is raised without mechanical support and proper axle stands being implemented.

## **SECTION 22 - ABANDONED VEHICLE**

22.1 Except as otherwise permitted under Bylaw, a Person shall not;

- i) Abandon a Vehicle on a Highway,
- ii) Abandon a Vehicle on public or private property without the consent of the Owner or Person in possession or control of the property

22.2 A Vehicle that is;

- i) left standing on a Highway for more than seventy-two (72) consecutive hours, unless otherwise provided for in this Bylaw in the case of a Highway under the direction, control and management of the Council or the Municipality; or
- ii) left standing on public or private property for more than seventy-two (72) consecutive hours without the consent of the Owner or Person in possession or control of the property;

is deemed to have been abandoned at that location.

## **SECTION 23 – REMOVAL OF VEHICLES OR OBSTRUCTION**

23.1 A Municipal Enforcement Officer may cause a Vehicle or Obstruction to be immediately removed or relocated and impounded by the Town when;

- i) A Vehicle is abandoned; or
- ii) A Vehicle has been left unattended on a Highway in a manner that may obstruct the normal movement of traffic, or
- iii) A Vehicle is Parked on a Highway in contravention of this Bylaw, including the provisions of any Traffic Control Device, or

- iv) A Vehicle is Parked on a Highway in a manner that impedes or prevents access to a fire hydrant by fire suppression equipment, or
- v) Is not displaying a subsisting license plate or a permit
- vi) Is Parked on private property without the consent of the Owner of the property or on a Highway in a manner that obstructs any private driveway;
- vii) Is left unattended on a Highway and, in the opinion of a Municipal Enforcement Officer, the Vehicle, its contents or any goods being carried by the Vehicle are liable to be stolen or tampered with;
- viii) Is situated unattended at a location or in a condition so that, in the opinion of the Municipal Enforcement Officer, it constitutes a present or potential hazard to Persons or property;
- ix) Vehicle is Parked in a manner that impedes advertised Town snow removal or contrary to advertised snow removal operations signage,
- x) A Vehicle is Parked in a manner that impedes emergency or municipal operations, or
- xi) An Obstruction of any kind has been placed, caused or permitted to be placed on a Highway, unless a permit authorizing placement of the Obstruction has been issued by the Town.

23.2 A Municipal Enforcement Officer may cause any Vehicle to be removed and taken to and stored in a suitable place when the Vehicle when the Municipal Enforcement Officer or a Peace Officer believes on reasonable and probable grounds that a Vehicle referred to in subsection 6.1 is worthless cause the Vehicle to be moved to a salvage yard or municipal dump for disposal or to be otherwise dealt with.

## **SECTION 24 - LOADING ZONES**

- 24.1 A Vehicle shall not be Parked on a Highway in any location identified as a loading zone for a period of Time longer than that permitted by signage.
- i) Only Commercial Vehicles shall be Parked on a Highway in any location identified as a commercial loading zone.
  - ii) Only passenger Vehicles shall be Parked on a Highway in any location identified as a passenger loading zone.
  - iii) A Vehicle shall not be Parked on a Highway in any location identified as both a passenger and commercial loading zone for a period of Time longer than that permitted for the passenger loading zone unless the Vehicle is a Commercial Vehicle.

## **SECTION 25 - EMERGENCY ACCESS**

25.1 A Vehicle shall not be Parked on a Highway in any location identified as a fire lane, an emergency access zone or otherwise being for the use of Emergency Vehicles.



## **SECTION 26 - DISABILITY PARKING**

- 26.1 A Vehicle shall not be Parked on a Highway in any location identified as being for the use of Persons with disabilities unless the Vehicle:
- i) Displays a valid disabled placard or license plate issued or recognized by the Registrar as designating a Vehicle as transporting, belonging to, or operated by, a disabled Person; and
  - ii) Is being used for the transportation of a Person with a disability.

## **SECTION 27 - BUS PARKING**

- 27.1 A Bus shall not be Parked on a Highway, Town owned Parking lot or Town owned property unless it is actively engaged in loading, unloading or awaiting passengers to board.

## **SECTION 28 - PARKING OVER PERMITTED TIME LIMIT**

- 28.1 A Vehicle shall not be Parked on a Highway in any location identified as a Time limited zone for a period of Time in excess of the Time limit.
- 28.2 In order to determine the Time period over which a Vehicle has been Parked in a location where Parking is restricted to a specific Time limit, a Municipal Enforcement Officer may place an erasable chalk mark on the tread face of the tire of a Parked Vehicle.
- 28.3 When a Vehicle, that has been subject of a Violation Tag or a Provincial Violation Ticket issued for a contravention of Subsection 30.1 of this Bylaw, remains Parked beyond the expiration of the Time limit indicated on the Traffic Control Device for more than sixty (60) minutes past the Time of the issuance of the Violation Tag or Provincial Violation Ticket this Vehicle may be removed immediately by a Municipal Enforcement Officer.

## **SECTION 29 - PRIVATE PROPERTY WITH PUBLIC ACCESS**

- 29.1 A Vehicle shall not be Parked on privately owned property to which Vehicles driven by members of the public generally have access unless the permission or authorization of the Owner of the property or Person having possession or control of the property has been given for such Parking.

## **SECTION 30 - TOWN PROPERTY**

- 30.1 No Person shall Park a Vehicle on a Town owned Parking lot in contravention of any Traffic Control Device indicating the terms, conditions or prohibitions governing the use of that Parking lot.

30.2 No Person shall Park or place any Vehicle or property owned by the Town of Drumheller in contravention of any law.

30.3 Any Vehicle or property so Parked or placed in contravention of section 30.1 and 30.2 is subject to immediate removal by a Municipal Enforcement Officer.

### **SECTION 31 - TAXI STAND**

31.1 No Person shall stop or Park a Vehicle that is not a Taxi in a marked Taxi stand allotted to a company or in an open Taxi zone.

31.2 No operator of a Taxi shall stop or Park and leave the Taxi unattended for a period exceeding fifteen (15) minutes at any Taxi stand.

### **SECTION 32 - SPEED**

32.1 Unless otherwise posted, no Person shall drive a Vehicle in any Alley at a speed in excess of fifteen (15) kilometers per hour(km/h).

32.2 No Person shall operate a Vehicle on any Highway within the Town of Drumheller at a speed in excess of fifty (50) kilometers per hour (km/h).

32.3 No Person shall drive any Vehicle in excess of thirty (30) kilometers per hour within a posted school zone or Playground Zone between the hours of 7:30 am and 9:00 pm, seven (7) days a week.

- i) Zones begin at the point where the Traffic Control Device indicating the School Zone or Playground Zone or the commencement of the School Zone or Playground Zone, and
- ii) Ends at the point where the Traffic Control Device indicating a greater rate of speed or the end of the zone.

### **SECTION 33 - RIGHTS AND DUTIES OF PEDESTRIANS**

33.1 Jay Walking or Pedestrian crossing Highways at undesignated locations,

- i) No Pedestrian shall cross, or attempt to cross, from one side of a Highway to another at any point other than within a Crosswalk.
- ii) A Pedestrian shall not cross, or attempt to cross, a Highway at a designated Crosswalk when a Traffic Control Device prohibits such crossing.
- iii) Notwithstanding Subsection 36.1 of this Bylaw Pedestrian may cross an Alley at any point provided the right away is yielded to Vehicles on the Alley.
- iv) Nothing in this Bylaw shall be construed as prohibiting the assembling of Persons for the purpose of watching an authorized Parade or Procession.

### **SECTION 34 - OBSTRUCTING HIGHWAY**

- 34.1 No Person or group of people shall obstruct the entrance to any building from a Highway or to prevent or interfere with the free movement of other Persons using that Highway.
- 34.2 No Person or group of people shall so conduct themselves or otherwise position themselves on a Highway in such a manner as to prevent or interfere with the free movement of vehicular traffic upon the Highway.
- 34.3 No Owner or occupant of any premises shall allow any gate located on the premises to swing or project over any portion of a Highway.

### **SECTION 35 - HITCHHIKING**

- 35.1 No Person shall stand upon or walk along a Highway for the purpose of soliciting a ride from the driver of any Vehicle.

### **SECTION 36 - ELECTRICAL CORDS AND WATER HOSES**

- 36.1 No Person shall place, fasten, cross, or otherwise attach above any sidewalk, boulevard, or any other Town property, a cord or cable that may transmit electrical energy from private property to where a Vehicle may legally Park unless the electrical cord is at least 2.5 meters (or eight (8) feet) above the sidewalk.
- 36.2 No Person shall place, fasten, cross or otherwise attach a water hose on any sidewalk, boulevard or any other Town property.
- 36.3 No Person shall drive a Vehicle over an unprotected hose of the Town of Drumheller Fire Services that has been laid down on a roadway or a driveway unless an official of the Fire Department at the scene has directed the driver to do so.

### **SECTION 37 - SKATEBOARDS, ROLLERBLADES, CYCLISTS, ANIMALS, E- SCOOTERS AND ANIMAL POWERED VEHICLES**

#### **37.1 ANIMALS OR ANIMAL DRAWN VEHICLE ON HIGHWAY**

The operator or Person responsible for any animal or animal drawn Vehicle operating on a Highway shall remain responsible for and in control of the animal and the animal drawn Vehicle at all Times including the disposal of any waste material. No animal or animal drawn Vehicle shall be operated on any sidewalk or any part of a trail system.

#### **37.2 BICYCLES ON SIDEWALKS**

No Person shall operate a Bicycle having a wheel diameter in excess of fifty (50) centimeters on any sidewalk.

### 37.3 **SKATEBOARDS/ROLLERBLADES/E-SCOOTERS**

No Person shall ride and or operate a skateboard, rollerblade, e-scooter or similar device in any Public Place, sidewalk or Highway where prohibited or, where permitted, in any manner so as to interfere with the safety of other Persons or in any manner that otherwise interferes with another Person's use of a sidewalk or Highway for its intended purpose.

### 37.4 **SEIZURE OF DEVICE**

Notwithstanding any other penalty imposed, where a Person contravenes Subsection 41.2 or 41.3 of this Bylaw, a Peace Officer may elect to seize and confiscate that Person's Bicycle, skateboard, roller blades, scooter, or similar device for a period not exceeding thirty (30) days. Anything seized pursuant to this Bylaw that is not claimed by its Owner within sixty (60) days of the last day of the period of seizure may be disposed of or otherwise dealt with in accordance with the Municipal Government Act.

## **SECTION 38 - HEAVY VEHICLES**

38.1 No Person shall operate a Heavy Vehicle on any Highway that is not designated as a Truck Route.

i) Exemptions The following Persons shall not be deemed to be operating a Vehicle in contravention of this Bylaw if the Vehicle is being operated on the most direct and practicable route between the household or commercial location being serviced and the nearest Truck Route.

## **SECTION 39 - TRUCK WEIGHTS, DIMENSIONS, ENGINE RETARDER BRAKES, OVERSIZE PERMITTING**

39.1 No operator of any motor Vehicle shall activate engine retarder brakes within the Town limits.

### 39.2 **LENGTH RESTRICTIONS**

1) A Vehicle or a Vehicle with a Trailer attached, with a total length exceeding 12.5 meters shall

not be Parked on a Highway:

- i) In a location adjoining residential property at any Time; or
- ii) In a location not adjoining residential property at any Time after 7:00 p.m. and before 7:00 a.m.

2) This section does not apply if the Vehicle:

- i) Is a Recreational Vehicle; or

- ii) Is a Commercial Vehicle with the hazard warning lamps alight and in the process of loading or unloading goods.

### 39.3 **WEIGHT RESTRICTIONS**

1) A Vehicle, or a Vehicle with a Trailer attached, that is registered for a weight exceeding 4,500

kilograms, or that weighs more than 4,500 kilograms, shall not be Parked on a Highway:

- i) In a location adjoining residential property at any Time; or
- ii) In a location not adjoining residential property at any Time after 7:00 p.m. and before 7:00 a.m.

2) This section does not apply if the Vehicle:

- i) Is a Recreational Vehicle; or
- ii) Is a Commercial Vehicle with the hazard warning lamps alight and in the process of loading or unloading goods

39.4 In the absence of evidence to the contrary, a School Bus is presumed to have a Gross Weight exceeding 4,500 kilograms.

### 39.5 **OVER DIMENSION PERMITS**

- i) No Person shall operate or permit to be operated a Vehicle within the Town in excess of the size limits established under the Commercial Vehicle Dimension and Weight Regulation (AR 316/2002 of the Traffic Safety Act) as amended, repealed or replaced without first obtaining the required permit(s) from an authorized agency(s) to do so.
- ii) A Person operating or permitting the operation of an Over-Dimension Vehicle on a Highway with or without a lawful permit issued from an authorized agency(s), shall be responsible to reimburse the Town for all costs and expenses incurred in correcting any damages done to the Highway or any public works located in, over, under or adjacent to the Highway, resulting from the operation or movement of the over dimension Vehicle on that Highway.
- iii) In addition to reimbursing the Town for any repair costs of an Over Dimension violation, a fine may be issued to the offending party pursuant to offenses of this Bylaw.

39.6 All heavy Truck permits regarding overlength or overweight units seeking to travel within Town limits and not on a provincially designated Highway are administered on behalf of the Town by ROADATA services limited at 888-830-7623.

### 39.7 ROAD BANS

No Person shall operate a Vehicle on a Highway in contravention of the weight restrictions I imposed pursuant to a Road Ban issued under this Bylaw or any other temporary Road Ban in place.

### 39.8 TRACKING

- i) No Person shall drive, operate or permit to be driven or operated, any Vehicle or Industrial Vehicle of any nature or kind in such a manner as to Track any material upon a Highway.
- ii) Any Person who Tracks materials upon a Highway shall, in addition to any other penalty imposed under this Bylaw, reimburse the Town for all costs and expenses incurred in the clean-up and removal of the Tracked substances or materials.

### 39.9 VEHICLE NOT EQUIPPED WITH RUBBER TIRES

- i) No Person shall operate a Vehicle having metal spikes, lugs, Tracks, cleats, skids or bands projecting from the surface of the wheel or tire of the Vehicle, upon a Highway, unless a permit to do so has been issued by the CAO or designate.
- ii) This Bylaw does not apply to the use of studded tires.

### 39.10 DANGEROUS GOODS

- i) No Person shall Park a Vehicle or a Trailer used for the conveyance of Dangerous Goods upon a Highway.
- ii) Except as required in the normal course of making deliveries or receiving goods, no Person shall Park a Vehicle or Trailer used for the conveyance of Dangerous Goods closer than fifteen (15) meters to any building or structure.
- iii) Except as otherwise authorized by Provincial or Federal Statute or Regulation, all Vehicles and Trailers used in the conveyance of Dangerous Goods shall, at all Times, bear a warning placard identifying the contents of their Dangerous Goods.

### 39.11 SECUREMENT OF LOADS

- i) No Person shall operate a Vehicle on a Highway, or a Vehicle towing a Trailer upon a Highway containing a load unless the load is completely covered by a tarpaulin or other device or is secured in such a manner that no portion of the load can escape, blow, drop, spill or fall from the Vehicle onto a Highway or land adjacent thereto.

- ii) In the event that any load or any portion thereof, or other material being transported by a Vehicle or Vehicle towing a Trailer, becomes loose, detached, blows, drops, spills or falls from any Vehicle onto any Highway so as to become an Obstruction, the operator of that Vehicle shall immediately take all reasonable precautions to draw the attention of other users of the Highway to the presence of the Obstruction and shall take any required action to remove the Obstruction material(s) from the Highway as soon as safely possible.

## **SECTION 40 - ROADWAY CLOSURES, PARADES AND PROCESSIONS**

### **40.1 Permit Required**

- i) No Person shall organize, hold, lead, march, join or participate in any special event requiring a roadway closure, Parade or Procession that has not been authorized pursuant to a permit issued through the CAO.
- ii) No Person organizing, holding, leading or participating in a special event requiring a roadway closure, Parade or Procession shall engage in any conduct contrary to the conditions of the Permit and which may reasonably be expected to create a risk of harm to any Person or damage to private or public property.
- iii) A Person driving a Vehicle in a funeral procession, other than the lead Vehicle in the funeral procession, may, during day Time hours, drive the Vehicle into an Intersection without stopping the Vehicle if:
  - a) The Vehicle's headlamps are alight;
  - b) The Vehicle is travelling immediately behind the Vehicle in front of it in the funeral procession so as to form a continuous line of traffic; and
  - c) The passage into the Intersection can be made safely.
- iv) No driver shall interfere, obstruct or otherwise break through the column, ranks or group of Vehicles travelling together as part of a funeral procession.

### **40.2 Permit Application**

- i) Any Person intending to hold a special event requiring a roadway closure, Parade or Procession within the Town shall, at least fifteen (15) business days prior to the date of the intended event, submit a special event application in writing to the Town. The instructions of the Town of Drumheller Special Event policy shall be followed.

- 40.3 During any Parade or Procession, all Persons attending, but not participating in the Parade or Procession shall remain upon the sidewalk or otherwise clear of the Highway.
- 40.4 No Parade or Procession shall travel at an unreasonable rate of speed or obstruct any Highway for a period longer than may be scheduled included in the permit.

#### **SECTION 41 - HIGHWAY CONSTRUCTION AND MAINTENANCE**

- 41.1 No Person shall perform any construction or maintenance work on a Highway without written permission from, or entering into a contract with, the Town.
- 41.2 In addition to any other penalty imposed for undertaking construction or maintenance on a Highway without a permit, the Person responsible for that construction or maintenance work shall be required to reimburse the Town for all reasonable costs and expenses incurred as a result of the Person's actions.
- 41.3 Notwithstanding any other section of this Bylaw every Person(s) shall obey any temporary Traffic Control Device dutifully placed for any construction or maintenance required on Highways within the Town.

#### **SECTION 42 - SNOW AND ICE CONTROL**

- 42.1 No Person shall Park a Vehicle, or permit a Vehicle to be Parked on a Highway marked as a snow route when a snow route ban has been declared by the CAO or designate and is in effect until either a permanent or temporary Traffic Control Device have been removed. Snow removal bans start at 6:00 am of the day listed on the Traffic Control device and are in effect until the street has been cleared.
- 42.2 All Vehicles Parked on signed snow routes after the ban is in effect are subject to a Violation Ticket issued or immediate removal at the expense of the registered Owner of said Vehicle.
- 42.3 Snow removal signs will be placed in the area of the ban a minimum of twenty-four (24) hours prior to snow removal. Signs will display the day of the week snow removal operations will be conducted.
- 42.4 Reasonable public notice shall include and not be limited to: published notices in local newspapers, information available on the Town of Drumheller webpage, radio announcements on any local station, social media sites and the information contained therein or roadway signage placed in the proximity of anticipated removal work.

#### **SECTION 43 – MICELLANIOUS**

##### **43.1 LITTERING**



- i. No Person shall dump, discard, abandon or place any substance or thing on any Highway.

#### **43.2 LOADING ACROSS SIDEWALK**

- i. No Person shall load or unload goods or merchandise across a sidewalk or boulevard where loading and unloading facilities have been provided in the premises to which the goods or merchandise are being delivered or from which they are being taken or Parking.

#### **43.3 STREET FURNITURE**

- i) No Person shall climb upon, deface, damage or otherwise interfere with any Street Furniture, protection system, utility pole or system, or public works equipment located anywhere in the Town.

#### **43.4 GRAFFITTI AND DEFACEMENT**

- i) No Person shall deface, or make any advertisement, legend, poster or sign of any kind on any Highway, Traffic Control Device, utility pole, Street Furniture or Temporary Barricades.

#### **43.5 DAMAGE TO PAINTED LINES ON HIGHWAY**

- i) No Person shall drive or walk on or over a newly painted wet lines on any Highway where the wet paint is indicated by signs, flags or other warning devices.
- ii) No Person shall intentionally damage painted surfaces on any Highway.

#### **43.6 MERCHANDISE ON SIDEWALKS AND STREETS**

- i) No Person shall place any goods wares, merchandise or other articles of any kind upon any sidewalk, Highway or expose any goods, wares, merchandise or other articles outside of any shop, warehouse or building which shall project over any portion of sidewalk or street without first acquiring all appropriate permits from the Town. The provisions of this Bylaw shall not be construed to interfere with the moderate use of a portion of such street, or sidewalk for a reasonable Time, during the taking in or delivering of goods, wares, or merchandise.

### **SECTION 44 - REGISTERED OWNER RESPONSIBILITY**

- 44.1 For the purposes of this Bylaw, an Owner shall mean the Person named on the certificate of registration for the subject Vehicle.

- i. Where a Vehicle is driven, used, Parked or left in contravention of any provision of this Bylaw, the Owner of the Vehicle shall be deemed responsible for the contravention and liable to the penalty provided herein,
- ii. Unless the Owner proves to the satisfaction of the CAO or designate that, at the Time of the contravention, the Vehicle was not driven, used, Parked or left by that Owner, or any other Person acting under the Owner's consent, express or implied.

#### **SECTION 45 - AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER**

- 45.1 Without restricting any other power, duty or function granted by this Bylaw the CAO may, but is not limited to, ordering the following in the Town in accordance with public safety and traffic management: the place and location of Traffic Control Devices, Crosswalk locations, Highway closures, traffic restrictions, speed and Parking signage, Vehicle and load prohibitions, and to
- i. Delegate any powers, duties or functions under this Bylaw to an employee of the Town.

#### **SECTION 46 - ENFORCEMENT AND PENALTY**

- 46.1 A Person who contravenes or fails to comply with a provision of this bylaw is guilty of an offence and shall be liable, upon summary conviction to the fine as set out in offenses of this Bylaw.
- 46.2 Any Person who interferes with or obstructs a Municipal Enforcement Officer in the execution of their duties under this Bylaw is guilty of an offence.
- 46.3 Where a Bylaw Enforcement Officer has reasonable grounds to believe that a Person has violated any provision of this Bylaw, that Bylaw Enforcement Officer may serve that Person with a violation by:
- i. Person service
  - ii. Registered mail; or
  - iii. By leaving it with a Person apparently over eighteen (18) years of age at the place of residency of the Person to whom the Violation Tag is addressed.
- 46.4 Where a Peace Officer has reasonable grounds to believe that a Person has violated any provision of this Bylaw that Peace Officer may serve that Person with a Violation Ticket in

accordance with the provisions of the Provincial Offences Procedure Act.

- 46.5 A Peace Officer may serve either a Violation Tag or Violation Ticket.
- 46.6 A Bylaw Enforcement Officer who is not a Peace Officer or member of a police force may only serve a Violation Tag.
- 46.7 A Violation Tag or Violation Ticket issued pursuant to this Bylaw, shall specify the penalty in lieu of prosecution payable in respect of the contravention of this Bylaw as set out in the Town Of Drumheller Fees schedule.
- 46.8 A Person who has been issued a Violation Tag or Violation Ticket pursuant to this Bylaw and has paid the penalty to the Town by the date specified, shall not be liable to prosecution for the subject of the contravention.
- 46.9 Nothing in this Bylaw shall prevent a Peace Officer from issuing a Violation Ticket for the mandatory Court appearance of any Person who contravenes any provision of this Bylaw, or from swearing an information.
- 46.10 When Court records the receipt of a voluntary payment pursuant to Provincial Offences Procedure Act, the act of recording the receipt of that payment constitutes acceptance of the guilty plea and also constitutes the conviction and the imposition of a fine in the amount of the specified penalty.
- 46.11 Nothing in this Bylaw shall be read or construed as:
- i) Preventing any Person from exercising their right to defend an allegation that the person has committed an offence.

#### **SECTION 47 - VICARIOUS LIABILITY**

- 47.1 For the purpose of this Bylaw, an act or omission by an employee or agent for a Person is deemed also to be an act or omission of the Person if the act of omission occurred in the course of the employee's employment with the Person, or in the course of the agent exercising the powers of or performing duties on behalf of the Person under their agency relationship.

#### **SECTION 48 - SEVERABILITY**

- 48.1 If a court of competent jurisdiction should declare any Section or Subsection of this Bylaw to be invalid, that Section or Subsection shall be severed from the remainder of

the Bylaw, and the remaining provisions of this Bylaw shall continue to be valid and enforceable.

**SECTION 49 - TRANSITION AND EXECUTION**

1. This Bylaw shall repeal Bylaw No. 01-03 and all amendments thereto on the date of final passing.
2. This Bylaw shall come into full force and effect on the date of final passing.

READ A FIRST TIME THIS XX DAY OF XX , 2022.

READ A SECOND TIME THIS XX DAY OF XX, 2022.

READ A THIRD AND FINAL READING THIS XX DAY OF XX, 2022.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

**PENALTY SECTION/FEES SCHEDULE**

<b><u>Section</u></b>	<b><u>Offence Description</u></b>	<b><u>Penalty</u></b>
General Penalties	All bylaw sections not specified in this schedule.	\$50
2(1)	Fail to obey Traffic Control Device.	\$243
7(1)	Park within 5m of fire hydrant.	\$81
11(2)	Operate OHV in Parkland.	\$324
13(1)(iii)	Park obstructing emergency access.	\$243
19(1)	Vehicle on jacks or similar device.	\$81
19(2)	Vehicle on jack with wheel(s) removed.	\$81
20(2)	Abandoned Vehicle.	\$324
26	Park in fire lane.	\$243
27	Park in handicap zone.	\$243
41(2)	Use engine retarder brakes.	\$150
41(12)(i)	Unsecured load.	\$810
50(1)	Littering.	\$120
50(6)	Climb/interfere with Street Furniture.	\$324
50(7)	Graffiti/Defacement.	\$324

# TOWN OF DRUMHELLER

## BY-LAW NO. 01-03

### **A By-law of the Town of Drumheller respecting the regulation and control of vehicle, animal and pedestrian traffic in the Town of Drumheller.**

WHEREAS the Highway Traffic Act, authorizes a municipality to regulate and control:

vehicle, animal and pedestrian traffic and parking on the streets and on other property within the municipality;

AND WHEREAS the Municipal Government Act allows a municipality to pass bylaws and delegate authority in respect to streets under it's direction, control, management and transport thereon;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF DRUMHELLER ENACTS AS FOLLOWS:

### **PART I**

#### **Short Title and Definition**

1. This By-law may be cited as the "Traffic By-law" of the Town of Drumheller.
2. In this by-law, unless the context otherwise requires:
  - (1) "Act" means the Highway Traffic Act, R.S.A. 2000, Chapter H-8 as amended or substituted from time to time;
  - (2) "alley" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
  - (3) "boulevard" means;
    - (a) that portion of a highway lying between the curb line of a highway and the adjacent property line, whether actually planted or improved or not, excepting that portion occupied by a sidewalk, and
    - (b) where there is no curb, that portion of highway lying between the portion of highway ordinarily travelled by vehicles and the adjacent property line, whether actually planted or not, excepting that portion occupied by a shoulder;

- (3) “bus” means a bus as defined in the Motor Transport Act;
- (4) “centre line” means;
  - (a) the centre of a roadway measured from the curbs, or in the absence of curbs, from the edge of the roadway, or
  - (b) in the case of a highway designated by traffic control devices;
    - (i) as an offset centre highway, or
    - (ii) as a highway having a certain number of traffic lanes for traffic moving in a certain direction at all times or at specified times the line dividing the lanes for traffic moving in opposite directions, or
  - (c) in the case of a divided highway, that portion of the highway separating the roadways for traffic moving in opposite directions;
- (5) “Town” means the Town of Drumheller;
- (6) “CAO” means the person appointed from time to time by Council to act as “Chief Administrative Officer”, or any officer appointed by Council to administer this by-law;
- (7) “commercial vehicle” means a commercial vehicle pursuant to the Motor Vehicle Administration Act;
- (8) “council” means the Council of the Town of Drumheller;
- (9) “crosswalk” means:
  - (a) that portion of a roadway at an intersection included within the connection of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway, or
  - (b) any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by line or by other markings on the road service;
- (10) “driver” means any person who drives, operates, or is in actual physical control of a vehicle, and the driver or rider of a horse;
- (11) “emergency vehicle” means a vehicle used:

- (a) for police duty,
  - (b) by a fire department,
  - (c) as an ambulance, or
  - (d) for purposes related to maintenance of a public utility of highway and designated as an emergency vehicle by the Town of Drumheller;
- (12) “highway” means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and
- (i) includes:
    - (a) a sidewalk (including a boulevard portion thereof),
    - (b) where a ditch lies adjacent to and parallel with the roadway, the ditch, and
    - (c) where a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be,but,
  - (ii) does not include a place declared by the Lieutenant Governor in Council not to be a highway:
- (13) “implement of husbandry” means a vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations;
- (14) “intersection” means the area embraced within the prolongation or connection of,
- (a) the lateral curb lines or, if none,
  - (b) the exterior edges of the roadways,
- of two or more highways which join one another at an angle whether or not one highway crosses the other;



- (15) “judge” means any judge of a competent court in the Province of Alberta or Justice of the Peace;
- (16) “lane” means alley
- (17) “loading zone” means a portion of a roadway adjacent to a curb designated for the exclusive use of vehicles for the loading or unloading of passengers or materials;
- (18) “maximum gross weight” means maximum gross weight as defined in the Regulations under the Motor Transport Act or in the regulations passed pursuant to the said Act;
- (19) “motor cycle” means a motor vehicle mounted on two or three wheels and includes those motor vehicles known to the trade as motor cycles, scooters and power bicycles;
- (20) “motor vehicle” means every vehicle propelled by any power, other than muscular power.
- (21) “parade” or “procession” means any group of pedestrians (excepting a military or funeral procession) numbering more than fifty persons and marching or walking in the street or on the sidewalk or any group of vehicles (excepting a military or funeral procession) numbering ten or more vehicles;
- (22) “park” means to allow a vehicle (whether occupied or not) to remain standing in one place, except:
  - (a) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers, or
  - (b) when standing in obedience to a peace officer or traffic control device;
- (23) “parking lane” means that portion of a highway between a solid yellow line marked on the roadway and the nearest outer edge of the roadway;
- (24) “passenger loading or unloading space” means a space on a roadway marked with an authorized traffic device permitting parking therein which device shall indicate the permitted parking time and the time or times when the space is restricted to these purposes;

- (25) “peace officer” means a member of the Royal Canadian Mounted Police, or a Special Constable appointed by Alberta Justice, or any person authorized by the Chief Administrative Officer to direct or regulate traffic in the municipality;
- (26) “pedestrian” means a person afoot or a person in a wheelchair;
- (27) “private road or driveway” means a place in private ownership and used for vehicular traffic;
- (28) “recreational vehicle” means a vehicle or trailer that is designed, constructed and equipped, either temporarily or permanently, as a dwelling place, living abode or sleeping place, but does not include a vehicle so equipped if that vehicle, without such equipment, is or was also manufactured as a passenger car;
- (29) “roadway” means that portion of a highway intended for use by vehicular traffic;
- (30) “sidewalk” means that part of a highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a highway between the curb line thereof (or the edge of the roadway, where there is no curb line) and the adjacent property line, whether or not paved or improved;
- (31) “stop” means:
- (a) when required, a complete cessation from vehicular movement, and
  - (b) when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device;
- (32) “time” means Mountain Standard Time wherever used herein;
- (33) “traffic control device” means any sign, signal, marking or device placed, marked or erected under the authority of this Act for the purpose of regulating, warning or guiding traffic;
- (34) “traffic control sign” means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed;

- (35) “traffic land” means:
  - (a) outside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles but does not mean a parking lane, and
  - (b) inside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles,  
whether or not the division is indicated by lines on the road surface;
- (36) “trailer” means a vehicle so designed that it may be attached to or drawn by a motor vehicle or tractor and intended to transport property or persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, but does not include road building machinery;
- (37) “truck” means a truck as defined in the Regulations under the Motor Transport Act;
- (38) “truck tractor” means a truck tractor as defined in the Regulations under the Motor Transport Act;
- (39) “truck loading or unloading space” means a space in a roadway marked with an authorized traffic control device permitting truck parking therein, which device shall indicate the permitted parking time and time or times when the space is restricted to these purposes;
- (40) “vehicle” means a motor vehicle.

**PART II**  
**Authority of the Police**

- 3. The Non-Commissioned Officer in charge of the Drumheller Detachment of the Royal Canadian Mounted Police, or the Chief Administrative Officer may authorize such persons as they, or any of them deem necessary to direct or regulate traffic in the Town.
- 4. (1) Any peace officer is hereby authorized to remove or cause to be removed any vehicle, or implement of husbandry:
  - (a) parked in contravention of this by-law, or

(b) where emergency conditions require, removal from a highway

to a place designated by the CAO or his agent, where it will remain until claimed by the owner thereof or his agent.

(2) (a) No impounded vehicle, or implement of husbandry, shall be released to its owner or his agent until the storage charges have been paid to the CAO or his agent,

(b) Such impounding or storage charges shall be in addition to any fine or penalty imposed in respect on any violation of this by-law, or to any payment made in lieu of prosecution as provided for in Section 38.

(c) If the vehicle or implement of husbandry has been impounded under emergency conditions the CAO may, in his discretion, waive payment of the storage charges and the Town shall assume the said charges.

**PART III**  
**Pedestrians**

5. Three or more persons shall not stand in a group or so near to each other on any highway or sidewalk as to obstruct or prevent other persons from using such highway or sidewalk and forthwith upon request by a peace officer shall disperse and move away.

6. No person shall stand, sit or lie on any highway or sidewalk in such a manner as to obstruct vehicular or pedestrian traffic or as to annoy or disturb any other person lawfully upon the highway or sidewalk.

7. No person shall sit, stand upon, or walk along, a roadway for the purpose of soliciting or solicit, a ride from the driver of any vehicle.

**PART IV**  
**Parking**

8. (1) The provisions of this by-law and the Highway Traffic Act relating to the parking of vehicles shall not apply to:

(a) trucks and commercial vehicles engaged in loading and/or unloading merchandise on or to premises where lane or alley deliveries are impractical and for which permission has been issued to the owner of such premises and/or truck or commercial vehicle by the CAO or his designate.

- (b) to emergency vehicles.
  - (2) Vehicles permitted under this section to curb load or unload may only park in a parallel position next to the curb.
- 9.
- (1) No person shall stop or park any vehicle, or implement of husbandry, on any highway in such a manner as to obstruct the passage of any vehicle.
  - (2) No person shall stop or park any vehicle or implement of husbandry in any lane or alley which is twenty (20) feet (6.1 meters) in width or less without providing at least ten (10) feet (3.05 meters) of unhindered passage on one side of the vehicle for:
    - (a) the loading or unloading of goods or passengers from a commercial vehicle for a period not exceeding thirty (30) minutes or
    - (b) the loading or unloading of goods or passengers from a vehicle other than a commercial vehicle for a period not exceeding five (5) minutes.
- 10.
- (1) No person shall stop or park any vehicle, or implement of husbandry, on any highway for a period in excess of seventy-two (72) hours.
  - (2) An owner or operator of a recreational vehicle for which the vehicle registration shows a Town of Drumheller address shall not park a recreational vehicle on a street in the Town:
    - (a) except in the area of the street immediately adjoining the owner or operator's place of residence, and
    - (b) for more than twenty-four (24) consecutive hours following which the owner or operator shall move the recreational vehicle to an off-street location for a period of not less than forty-eight (48) consecutive hours before the recreational vehicle may be parked again in the same area of the street immediately adjoining the owner or operator's place of residence.
  - (3) No owner or operator of a recreational vehicle shall park the recreational vehicle on any street in the Town in such a manner as to constitute a hazard to other persons using the street.
  - (4) No person shall park a truck having a maximum gross weight in excess of Six Thousand Kilograms (6,000kg.) on any highway within the Town except as otherwise provided in this by-law and except on the highway designated in Schedule C.

- (5) Except as otherwise provided in this by-law, no person shall park a bus, other than a school bus, on any highway within the Town.
  - (6) Except as otherwise provided in this Bylaw, no person shall park a school bus on any highway within the Town, except that an owner or driver of a school bus may park a school bus in the immediate vicinity of their home unless otherwise directed by a Peace Officer as a consequence of a bona fide complaint by a directly affected person.
- 11.
- (1) No person shall park or leave a vehicle, or implement of husbandry, on any highway in contravention of posted or erected traffic control devices.
  - (2) The owner of any vehicle or implement of husbandry, left parked in contravention of a snow removal or street cleaning traffic device, shall be charged with unlawful parking and the said vehicle may be removed by a peace officer pursuant to Section 4 of this by-law.
- 12.
- (1) Notwithstanding anything to the contrary herein expressed, the Council may, by resolution, on application, issue a permit to any person for a particular stall, stand or space on any highway within the Town for the exclusive use of the said person for the parking of vehicles.
  - (2) The prohibitory provisions of this by-law relating to parking shall not apply to a permit holder for such a stall other than the provisions contained in 11 (2).
  - (3) Every application for such a stand, stall or space shall be in writing and shall be accompanied by a deposit in cash sufficient in amount to defray the cost of purchase and installation of such traffic devices as the Council may deem necessary to protect the exclusive use and enjoyment of such assigned stand, stall or space.
  - (4) Any permit holder using such a stand for a taxi business shall pay in advance an annual rental therefore at a rate set by Council.
  - (5) No unauthorized person shall park any vehicle in any stand, stall or space for which a permit has been issued under this bylaw.
- 13.
- (1) No unauthorized person shall park a vehicle, or implement of husbandry in such a manner that any part of the vehicle is within three (3) meters of the centre line of the highway whether or not such centre line is marked on the highway, PROVIDED that the foregoing shall apply only to highways where the portion thereof intended for vehicular traffic is fifteen (15) meters or more in width.

- (2) No owner or operator of a vehicle shall park the vehicle on any street in the Town in such a manner as to constitute a hazard to other persons using the street.
14. Where a vehicle parking space is marked out or designated upon a highway, every driver using the same shall park such vehicle wholly within the limits of the said space.
15. No person shall park any trailer upon any highway unless the said trailer is attached to a vehicle by which it may be propelled or drawn and when so attached the trailer shall be deemed to be part of the vehicle and subject to the provisions of this bylaw pertaining to vehicles.
16. (1) Except as otherwise directed by a traffic control device, no person shall park a vehicle, or implement of husbandry, other than parallel to the curb or edge of the roadway and with the right hand wheels thereof not more than five hundred (500) millimetres from the right hand curb or edge of the roadway.
- (2) In the case of a one-way highway where parking on either side is permitted, the wheels closest to the curb or edge of the roadway shall be not more than five hundred (500) millimetres from that curb or edge and with the vehicle facing the direction of travel authorized for that highway.
17. Unless otherwise required or permitted by this by-law or by a traffic control device, or in compliance with directions of a peace officer, no person shall stop or park a vehicle, or implement of husbandry:
- (a) on a sidewalk or boulevard, or
- (b) on a crosswalk or any part of a crosswalk, or
- (c) within an intersection, or
- (d) at an intersection nearer than five (5) meters to the projection of the corner property line immediately ahead or immediately to the rear, except when his vehicle is parked in a space where a parking meter or other traffic control device indicates parking permitted, or
- (e) within five (5) meters upon the approach to any stop sign or yield sign, or
- (f) within five (5) meters of any fire hydrant, or when the hydrant is not located at the curb, within five (5) meters of the point on the curb nearest the hydrant, or

- (g) within two (2) meters of an access to a garage, private road or driveway, or a vehicles crossway over a sidewalk, or
- (h) within five (5) meters of the near side of a marked crosswalk, or
- (i) alongside or opposite any street, excavation or obstruction when stopping or parking would obstruct traffic, or
- (j) on any bridge or on the approach thereto, or
- (k) at any other place where a traffic control device prohibits stopping or parking during such times a stopping or parking is so prohibited, or
- (l) on the roadway side of a vehicle parked or stopped at the curb or edge of a roadway, or
- (m) on private land whereupon a prohibitory sign regarding parking has been erected unless such person has first obtained the permission of the owner, tenant, occupant, or person in charge of the said private land, or
- (n) on land owned by the Town and used as a playground, recreation area or public park, or
- (o) on space reserved for Town employees, or
- (p) in a space designated as a taxi cab stand and allotted to a company or as an open taxicab space unless the vehicle be a taxicab, and if the space be designated for a particular taxicab company belonging to the said particular taxicab company, or
- (q) No Vehicle or combination of Vehicles used for the conveyance of dangerous goods or hazardous materials as defined pursuant to the Dangerous Goods Transportation and Handling Act shall park:
  - (i) in a Residential Area, unless the area is designated as a parking area for Vehicles used to convey dangerous goods; and
  - (ii) this section shall not apply where a Vehicle or combination of Vehicles is obliged to be parked while making deliveries in the course of its ordinary business and has a warning notice clearly displayed while parked.



### **SPEED OF VEHICLES**

18. No person shall drive a vehicle, or implement of husbandry on
- (1) any alley or lane within the Town at a speed greater than fifteen (15) kilometres per hour.
  - (2) Unless otherwise posted the maximum speed limit within the Town of Drumheller corporate limits is 50 kilometres per hour with the exception of Section 18 (1).

### **OPERATION OF VEHICLES**

19. (1) Except when otherwise directed by a peace officer every driver and pedestrian shall obey any applicable traffic control device.
- (2) Notwithstanding anything in this by-law, every driver and pedestrian shall obey the directions of any peace officer directing traffic.
- (3) Where all or any of the lights of a traffic control device are not operating properly or are not operating at all, every driver and pedestrian shall use the roadway in the vicinity of the traffic control device with caution.
- (4) When repairs or alterations are in progress on or adjoining any highway in the Town and such work is indicated by a traffic control device(s) or by a flagman, no person shall disregard the warning thereby, and shall obey any signal of a flagman on duty at the site of the work.
- (5) Where any vehicle is engaged in such highway repairs or alterations, within an area controlled by a flagman the provisions of this bylaw relating to the operation and parking of a vehicle shall not apply to such a vehicle.
20. Where an unprotected hose of the Town Fire Department has been laid down on a highway, no person shall drive over such a hose except with the consent of the Town Fire Department official in charge at such place.
21. (1) No person shall operate a vehicle having a gross weight in excess of eight thousand (8,000) kilograms on wheels, rollers or otherwise over or upon any paved highway in the Town, save upon those highways designated as a Provincial Highway and those highways designated in Schedule "E".
- (2) Council, by resolution, may from time to time amend, vary, enlarge, reduce or delete the said Schedule "C" and Schedule "E".

- (3) Subsection (1) shall not apply to any vehicle in the Town for the purpose of loading, unloading, or securing repairs or services.
  - (4) Where a vehicle is permitted to operate in excess of eight thousand (8,000) kilograms as defined in subsection (1), in no case shall a person operate a vehicle or combination of vehicles over or on any highway within the Town in excess of their licensed axle weight as defined in the Provincial Public Vehicle Dimension and Weight Regulation without obtaining a permit from the Town prior to the operation of the overloaded vehicles.
  - (5) Council, by resolution, may impose posted weight restrictions (road bans) from time to time.
22. A driver of a vehicle shall not at any time use the vehicle on any roadway to push more than one other vehicle, nor shall two or more drivers on any roadway use their vehicles together to push any other vehicle.
23. Whether traffic at an intersection is controlled by traffic control signals or not and notwithstanding any traffic control signal indication to proceed, a driver of a vehicle shall not drive the vehicle onto an intersection or a marked crosswalk unless there is on the roadway upon which the driver intends to proceed sufficient space to accommodate his vehicle without obstructing the passage of other vehicles or pedestrians.
24. (1) The driver of a vehicle in the lead of a funeral procession shall obey all traffic control devices as well as directions given by a peace officer.
- (2) Notwithstanding other provisions of this bylaw vehicles in a funeral procession, other than a lead vehicle may, during daylight hours, enter an intersection without stopping, if
- (a) the headlights of the vehicle are alight,
  - (b) the vehicle is travelling immediately behind the vehicle in front of it so as to form a continuous line of traffic, and
  - (c) the passage into the intersection can be made in safety.
- (3) No driver shall:
- (a) break through the ranks of a military or funeral procession, or
  - (b) break through the ranks of any authorized parade or procession.
25. (1) A person shall not leave parked on any highway any self propelled type of vehicle which cannot be moved under its own power.

- (2) Subsection (1) does not apply to a vehicle which has been left parked because of a breakdown or other emergency if the person in charge or control of such vehicle can establish that he has taken immediate action to arrange for the removal of such vehicle.
26. (1) The owner of a motor vehicle for which a certificate of registration has been issued under the provisions of the Highway Traffic Act of Alberta is guilty of an offence and liable for any violation of the provisions of this by-law in connection with the motor vehicle unless the owner proves to the satisfaction of the Judge trying the case that at the time of the offence the motor vehicle was not being driven or parked or stopped by him or by any other person with his consent, express or implied.
- (2) Notwithstanding subsection (1), if the owner was not at the time of the offence driving the motor vehicle, he is not, in any event, liable to imprisonment.
27. Upon any person being charged with an offence under the provisions of this bylaw, if the Judge trying the case is of the opinion the offence was committed wholly by accident or misadventure and without negligence, and could not by the exercise of reasonable care or caution have been avoided, the Judge may dismiss the case.
28. A person other than the owner or driver of a vehicle shall not remove any notice or tag placed on or affixed to the vehicle by a peace officer or other person employed by the Town in the course of his duties.
29. (1) For the purpose of this section “maximum weight” means the maximum weight of a vehicle as defined in Section 21.
- (2) Unless he has first obtained a permit as provided in Subsection (6) of this section, a person shall not drive or have on a street a vehicle or combination of attached vehicles with a weight, including or excluding any load thereon, in excess of maximum weight.
- (3) Wherever in his opinion there is a contravention of Subsection (2) of this section, a peace officer may order the driver or other person in charge or control of a vehicle or combination of attached vehicles suspected of being on a street in contravention of such subsection, to take such vehicle or combination of attached vehicles to the nearest adequate weight scale to determine the weight of such vehicle or combination of attached vehicles and any load carried thereon. The weight slip or slips shall be given to the peace officer and may be retained by him, and if the weight of any loaded vehicle or combination of attached loaded vehicles is in excess of maximum weight, the peace officer, in addition to any prosecution for contravention of

subsection (2) hereof, may require that any load or portion thereof in excess of maximum weight shall be removed before the vehicle or combination of attached vehicles is again taken upon a street.

- (4) A weight slip given to a peace officer under subsection (3) of this section and submitted by him in evidence in Court shall be prima facia proof of authenticity of the weight slip and of the particulars thereon submitted in evidence, and of the accuracy of the weigh scale used.
  - (5) A person driving or in charge or control of a vehicle or combination of attached vehicles suspected by a peace officer of being on the street in contravention of subsection (2) of this section, shall when requested by the peace officer produce for such officer's inspection any official registration certificate for such vehicle or vehicles that may have been issued by the Government of the Province of Alberta, showing the maximum weight of such vehicle or combination of attached vehicles.
  - (6) Notwithstanding the other provisions of this section, a person may apply to the Town for a permit or road use agreement to allow on a street a vehicle or combination of attached vehicles with a weight in excess of maximum weight. Such a permit or road use agreement may be issued under the hands of the CAO for such purposes and for such periods as may be set out therein or the Town may refuse to grant a permit but for any such refusal there shall be an appeal to the Council.
30. (1) Except as otherwise provided in subsection (2) of this section or unless he has first obtained a permit as provided in subsection (3) of this section, a person shall not drive or have on a street a vehicle or combination of attached vehicles with any dimension, including or excluding any load thereon, greater than the following:
- (a) width – three (3) meters;
  - (b) height (from road surface) – 4.15 meters;
  - (c) length (total length of vehicles or combination of attached vehicles) - twenty (20) meters.
- (2) The maximum width of three (3) meters referred to in subsection (1) of this section does not apply to road construction or road maintenance equipment except that if the maximum width of such equipment is in excess of three (3) meters, there shall be conspicuously displayed, at the extreme edge of the equipment, flags during daylight hours and lights at other times.
- (3) Notwithstanding other provisions of this section, a person may apply to the

Town for a permit to allow on a street a vehicle or combination of attached vehicles with one dimension or more in excess of the maximum dimensions referred to in subsection (1) of this section. Such a permit may be issued under the hand of the CAO, for such purposes and for such periods as may be set out therein or the Town may refuse to grant a permit but for any such refusal there shall be an appeal to the Council.

31. Every person shall be guilty of an offence against this bylaw who:
- (1) Rides on or permits any other person to ride on the bumper, fender, or other external part of a motor vehicle including the box of a truck.
  - (2) Applies or engages engine retarder brakes on any truck in any part of the Town.
32. (1) No person shall allow trees, hedges, or shrubs on private property within five (5) meters of a highway, whether planted before or after the date of the passing of this bylaw, to grow to such a height that good visibility for safe traffic flow is hereby interfered with.
- (2) The CAO may require any owner, tenant or other person having control of the property, to comply with the provisions of subsection (1) hereof within ten (10) days of being notified to do so. If the person fails to comply with such notice the CAO may direct employees or agents of the Town to enter upon the private property to carry out necessary work and may charge the cost of so doing against the said property.
- (3) (a) No person shall erect, cause to be erected, built or placed or continue in existence after the date of the passing of this by-law any fence, wall or other object on private property within five (5) meters of a highway intersection if the said fence, wall or other object interferes or will interfere with good visibility for safe traffic flow.
- (b) Where a person is required to remove or reduce in height, a fence, wall or other object in existence prior to the passing of this bylaw, he shall be reimbursed by the Town for the cost of so doing.
- (4) Nothing contained in this section shall affect the liability of any person to prosecution for breach of this section.
33. (1) No person shall place any sign, notice or structure upon a Town highway, boulevard or upon allotting Town property, including public walks, unless authorized by the CAO to do so.
- (2) Any sign, notice or other object placed on or beside a Town highway or

upon allotting public lands, including boulevards shall be liable to removal and immediate disposal by the Town without any notice or warning to the owner thereof.

- (3) No person shall place, direct or lay any cord or other medium capable of conducting an electrical current on or across any portion of any Town sidewalk, street, easement or right-of-way.
  - (4) Notwithstanding subsection (3), a person may place or direct any cord or other medium capable of conducting an electrical current above any Town sidewalk, providing the said cord or medium is at a height of not less than seven (7) feet above such sidewalk and is firmly fastened to solid objects at the height of seven (7) feet on both sides of the sidewalk.
- 34.
- (1) No person shall wash or permit a vehicle to be washed upon a highway or so near a highway so as to result in water, mud, slush, or ice upon the highway or any public sidewalk.
  - (2) No person shall drain the radiator of a vehicle upon a highway so that the contents of the radiator fall upon the highway.
  - (3) No person operating business premises to which entry or exit for vehicles is made by a crossing located between the highway curb and the private property line shall permit water, mud, slush, ice or icy or frozen snow to remain on the sidewalk or highway portion of such crossing, but shall keep the same clear of all substances as may be or become a hazard to pedestrians.
- 35.
- (1)
    - (a) No person shall hold or take part in any parade or procession without their first having obtained from the CAO a permit for the parade or procession to be held.
    - (b) Every member of a parade or procession and the organization and leaders thereof shall be guilty of an offence for each and every violation of this section.
  - (2) Any person desiring to hold a parade or procession within the Town of Drumheller shall at least 48 hours prior to the time they desire to hold the same make application in writing to the CAO and in such application shall furnish to the CAO information with respect to the following, namely:
    - (a) The name and address of the applicant, and if such application is an organization, the names, addresses, and occupations of the executive thereof;
    - (b) The nature and object of such parade or procession;

- (c) The day, date and hours during which same will be held;
  - (d) The intended route thereof;
  - (e) The approximate number of persons who will take part therein;
  - (f) The approximate size, number and nature of flags, banners, placards or such similar things to be carried therein and particulars of signs, inscriptions and wording to be exhibited thereon; and such written application shall bear the signatures and addresses of the persons who will be in control of such parade or procession and who undertake to be responsible for the good order and conduct thereof;
- (3) The CAO is hereby authorized to issue permits for parades or processions. The CAO may for any reasons which appear to him proper, refuse to issue a permit but in the event of such refusal the applicants concerned may apply to Council therefore and Council may by resolution or otherwise direct the issue of such permit subject to the provisions of this bylaw.
  - (4) The CAO shall fix the hour and route of the parade or procession and give such directions to the applications in regard to such parade or procession as in his opinion will prevent any unnecessary and unreasonable obstruction to the highway and tend to prevent a breach of the peace, and the CAO shall make the necessary arrangements for the proper policing of the highway in connection with such parade or procession.
  - (5) During such parade or procession all pedestrians not taking part herein shall be restricted to the use of the sidewalk and it shall be the duty of the police to keep all pedestrians on and restrict them to the use of the sidewalk.

**TRAFFIC CONTROL DEVICES**

- 36. (1) The CAO is hereby authorized to place and maintain or cause to be placed and maintained such traffic control devices as he deems and may deem advisable.
- (2) The design, make, shape, height and place of erection of such traffic control devices shall be determined by the CAO.
- (3) The CAO shall maintain in his office or at such place as he shall advise, records indicating the place of erection of all traffic control devices in the Town and such records shall be kept available for public review.

37. In any prosecution under this bylaw, existence of a traffic control device is prima facia proof that the device was properly designated and erected by the proper authority without other or further proof thereof.
38. (1) A notice commonly called a “traffic tag” and having printed wording approved by the CAO may be issued by a peace officer to any person alleged to have breached any provision of this bylaw.
- (2) Such Notice shall require the payment to such person as the Council may designate and the amount of such payment shall be determined by the nature of the violation, the amount of such penalty being set forth in Schedules A, B, & D.
- (3) Service of any notice or tag shall be sufficient if it is:
- (a) personally served, or
  - (b) served by mail, or
  - (c) attached to the vehicle in respect of which an offence is alleged to have been committed.
- (4) Upon production of any such “notice” or “tag” within seven (7) days from the date of service thereof, together with payment of the sum required under the appropriate Schedule, an official receipt shall be issued, and, subject to the provisions of subsection (4) and (5), such payment shall be accepted in lieu of prosecution.
- (5) If the person upon whom any such notice or tag is served fails to pay the required sum within the time designated, the provisions of Section 38 of payment in lieu of prosecution do not apply and the provisions of Section 39 shall apply.
- (6) Nothing contained in this bylaw shall:
- (a) prevent any person from exercising his right to defend any charge of committing a breach of any of the sections of this by-law;
  - (b) prevent any peace officer, in lieu of serving a notice or tag, or any other person, from laying any information or complaint against any other person for committing a breach of any of the sections of this bylaw.



- (c) prevent any person from exercising any legal right such person may have to lay any information or complaint against any other person (whether such other person has made a payment under the provisions of this bylaw or not) for a breach of any of the sections of this bylaw.
- 39. Any person violating any of the provisions of this by-law shall be liable on summary conviction before a Provincial Court Judge having jurisdiction therein, to a penalty not exceeding Five hundred (\$500.00) Dollars exclusive of costs or in case of non-payment of fine and costs imposed to imprisonment for any period not exceeding sixty (60) days unless such fine and costs, including the costs of committal, are sooner paid.
- 40. If any person is in default in doing any matter or thing by this bylaw directed to be done, the matter or thing may be done by the Town at the expense of the person in default and the Town may recover the expenses thereof with costs, by action in any court of competent jurisdiction on in like manner as municipal taxes.
- 41. If, by reason of the breach or non-observance by any person of any provisions of this bylaw, any expense has been incurred by the Town for or in connection with the moving or storage of a vehicle or obstruction moved from a street, public place, civic or private parking lot or private property, the amount of the expense so incurred shall be added to the amount of any fine imposed in respect of such breach or non-observance or added to the amount of a payment made in lieu of prosecution pursuant to Section 38 of this bylaw, and the person concerned shall be required to pay the amount of such expense in addition to the fine, penalty, or payment made in lieu of prosecution, as the case may be.

**AUTHORITY OF TOWN COUNCIL**

- 42. Wherever in this bylaw Council has delegated certain powers to any person or persons, Council, notwithstanding such delegation, may also exercise any of such powers.
- 43. A peace officer or person directed by him to effect removal of a vehicle pursuant to this bylaw, may if it be necessary, forcibly unlock a door of the vehicle and release the brake, put the vehicle in neutral gear, or do such thing as may reasonably be required to facilitate the removal of such vehicle.

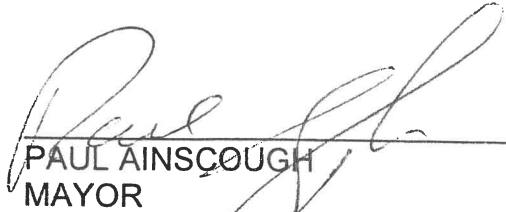
Save where previous bylaw is repealed.

Bylaws 653, 687, 7-74, 33-81 and 24-00 are hereby repealed.

READ a first time this 7<sup>th</sup> day of April, A.D. 2003.


READ a second time this 7<sup>th</sup> day of April, A.D. 2003.

READ a third time and finally passed this 7<sup>th</sup> day of April, A.D. 2003.



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PAUL AINSCOUGH  
MAYOR



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RAY ROMANETZ  
CHIEF ADMINISTRATIVE OFFICER

**SCHEDULE TO BY-LAW NO. 01- 03**

- SCHEDULE "A" (\$50.00) A breach or non-observance of any provision of this bylaw relating to the parking or operation of motor vehicles.
- SCHEDULE "B" (\$50.00) A breach or non-observance by a pedestrian of the provisions of this bylaw.
- SCHEDULE "C" #9 Highway commencing at the northerly Town limits thence southerly along Bridge Street across the Red Deer River Bridge and thence southerly along 2nd Street West across the Canadian National Railway tracks to the intersection of the said 2nd Street West with South Railway Avenue thence easterly along South Railway Avenue to 5th Street East thence southerly along 5th Street East to the Southerly Town limits and vice versa.
- SCHEDULE "D" A breach or non-observance of Section 21 (1) of this bylaw shall result in a fine of not less than \$100.00 for each 500 kilograms overweight.
- SCHEDULE "E"
- 6<sup>th</sup> Avenue S.E. west of Highway 9
  - 2<sup>nd</sup> Street S.E. between Highway 9 and 7<sup>th</sup> Avenue S.E.
  - Service Road south of 11<sup>th</sup> Avenue S.E. adjacent to Highway 9 (west side)
  - Premier Road
  - 9<sup>th</sup> Street S.W.
  - Elgin Close
  - Elgin Hill Road
  - Grove Place
  - Centre Street (Rosedale)
  - Refer to attached Map entitled Schedule "E"

## REQUEST FOR DECISION

<b>TITLE:</b>	Bylaw 08.22 – Borrowing Bylaw Penitentiary Water Booster Upgrades
<b>DATE:</b>	July 18, 2022
<b>PRESENTED BY:</b>	Mauricio Reyes, CPA, CMA, CAMP Director of Corporate and Community Services
<b>ATTACHMENT:</b>	Appendix 1 – Bylaw 08.22 Penitentiary Water Booster Upgrades Appendix 2 – Debt Limit Calculation Appendix 3 – Debt Management Policy C-02-04

### SUMMARY:

Due to its age and condition, the penitentiary water booster station needs immediate upgrades. The project was approved by Council in January 2022 as part of the Town’s 2022 Capital Budget and is to be financed by issuing debentures.

The proposed bylaw provides for the option of financing the project either via debentures through the Alberta Treasury Board and Finance (formerly known as “Alberta Capital Finance Authority”) or through a bank loan. Interest rates will not be known until closer to the dates of the borrowing, however an indication of rates and principal and interest payments are available through the Alberta website - <https://www.alberta.ca/loans-to-local-authorities.aspx>

### RECOMMENDATION:

That Council give second and third reading to Bylaw 08.22 – Penitentiary Water Booster Upgrades.

### DISCUSSION:

The existing Penitentiary booster station and transmission main were constructed in 1963. Due to its age and condition, the penitentiary booster station needs immediate upgrades to continue to provide reliable, continuous, and safe water supply and to support emergency fire service delivery to the Drumheller Penitentiary and the Churchill Co-op Reservoir, as well as the recreational users at the Stampede and Ag Society and DORVA.

In 2021, Administration submitted a grant application to the Alberta Municipal Water Wastewater Partnership (AMWWP), which was unsuccessful. The province has advised the town that this replacement project would not be eligible for funding from any of the infrastructure grants. Consequently, Administration included the entire cost of the project in the 2022 capital project which Council approved in January 2022 with borrowing identified as its funding source.

The proposed bylaw has been drafted in accordance with sections 251, 253, 254, and 258 of the Municipal Government Act.

### FINANCIAL IMPACT:

Bylaw 08.22 will authorize Administration to borrow \$1.2 million on behalf of the Town, which increase the Town’s debt level and debt servicing costs. The debt servicing costs from this

borrowing will be funded through the utility-supported budget. This will reduce the debt limit to 60.7% of availability for the Town as shown on Appendix 2.

**STRATEGIC POLICY ALIGNMENT:**

Good governance and fiscal sustainability.

**COMMUNICATION STRATEGY:**

As per section 606(2)(a) of the Municipal Government Act, the bylaw must be advertised for two consecutive weeks after which electors of the Town of Drumheller have 15 days to prepare and submit a valid petition calling for a vote of electors to authorize the borrowing.

Borrowing bylaw 08.22 was advertised on the Drumheller Mail on June 22<sup>nd</sup> and June 29<sup>th</sup>, 2022. Administration received no petition during the allowed period.

**COUNCIL MOTION:**

**MOTION:**

**Councillor** \_\_\_\_\_

That Council give second reading to Penitentiary Water Booster Station Borrowing Bylaw 08.22 as presented.

That Council give third reading to Penitentiary Water Booster Station Borrowing Bylaw 08.22 as presented.

**Seconded:**

**Councillor** \_\_\_\_\_

*Mauricio Reyes*

Prepared by:  
Mauricio Reyes, CPA, CMA, CAMP  
Director of Corporate & Community Services



Approved By:  
Darryl E. Drohomerski, C.E.T.  
Chief Administrative Officer

**TOWN OF DRUMHELLER  
BYLAW NUMBER 08.22**

A BYLAW OF THE TOWN OF DRUMHELLER, IN THE PROVINCE OF ALBERTA (HEREINAFTER REFERRED TO AS "THE MUNICIPALITY"), TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURE(S) IN THE AMOUNT OF \$1,200,000 FOR THE PURPOSE OF UPGRADING THE PENITENTIARY WATER BOOSTER STATION.

**WHEREAS**, The Town of Drumheller Council has decided to issue a bylaw pursuant to Section 258 of the *Municipal Government Act* to authorize the financing and upgrading of the Penitentiary Booster Station.

Plans and specifications have been prepared and the total cost of the project is estimated to be \$1,300,000 and the Municipality estimates the following reserve contributions will be applied to the project:

Reserves (Water)	\$100,000
Debenture(s)	\$1,200,000
Total Cost	\$1,300,000

In order to complete the project, it will be necessary for the Municipality to borrow the sum of \$1,200,000, for a period not to exceed thirty (30) years, from the Alberta Treasury Board and Finance or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.

The estimated lifetime of the project financed under this bylaw is equal to or in excess of forty-five (45) years.

The principal amount of the outstanding debt of the Municipality on December 31, 2021, is \$7,097,616 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

**NOW, THEREFORE**, the Town of Drumheller Council duly assembled, enacts as follows:

1. That for the purpose of upgrading the Penitentiary Water Booster Station. the sum of ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large, of which amount the full sum of ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000) is to be paid by the Municipality at large.

2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this bylaw, namely the financing and upgrading of the Penitentiary Water Booster Station.
3. The Municipality shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest installments not to exceed thirty (30) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed seven percent (7%).
4. The Municipality shall levy and raise in each year municipal utility rates sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Municipality.
6. The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

**CITATION**

1. This Bylaw is cited as the Penitentiary Water Booster Station Borrowing Bylaw

**TRANSITIONAL**

1. This Bylaw comes into force with third and final reading.

READ A FIRST TIME THIS 20th DAY OF June, 2022.

READ A SECOND TIME THIS XX DAY OF XX, 2022.

READ A THIRD AND FINAL TIME THIS XX DAY OF XX, 2022.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

Appendix 2  
Debt Limit Calculation

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	<u>Per Legislation</u>		<u>Per Council Policy C-02-04</u>	
2021 debt limit (1)	\$ 32,036,352	100.0%	\$ 19,221,811	100.0%
2022 Debt before new loans	\$ (6,367,675)	-19.9%	\$ (6,367,675)	-33.1%
2022 unused debt capacity before new	<u>\$ 25,668,677</u>	<u>80.1%</u>	<u>\$ 12,854,136</u>	<u>66.9%</u>
<u>Maximum loans authorized in 2022 (2)</u>				
Loan - Pen Booster Upgrades	\$ (1,200,000)	-3.7%	\$ (1,200,000)	-6.2%
Loan - Flood Mitigation Project	\$ (5,000,000)	-15.6%	\$ (5,000,000)	-26.0%
2022 unused debt capacity remaining after authorizing new loans	<u>\$ 19,468,677</u>	<u>60.8%</u>	<u>\$ 6,654,136</u>	<u>34.6%</u>

Notes:

1. 2021 debt limit has been used as 2022 debt limit is calculated at the end of the year
2. Maximum loans authorized is used to calculate remaining debt capacity. Actual debt capacity will depend on actual amount of loans taken which may be less if only a portion of the loans is taken in 2022





# DRUMHELLER

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## COUNCIL POLICY

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### COUNCIL POLICY # C-02-04

#### DEBT MANAGEMENT

##### POLICY STATEMENT:

The Town of Drumheller will annually review and modify, if considered necessary, a Long-Term Capital Financing Strategy. Such a Strategy will include such things as the acquisition of debt, the orderly repayment of debt, "pay as you go" philosophy, and other alternatives for capital project funding other than debt, while achieving financial stability for the Municipality's annual operating requirements.

##### PROCEDURE:

The Council should, as part of its annual Strategy review, establish a maximum debt and debt service limit that is lower than the debt and debt-servicing limit established under the Municipal Government Act. This lower level should evaluate the overall financial situation of the municipality and the strategic plans that are in place. Possible limits are:

- Total debt will not exceed 60% of the debt limit established in the Municipal Government Act and regulations
- Total debt service costs will not exceed 60% of the debt service limit established in the Municipal Government Act and regulations
- Debt service costs for tax-supported debt will not exceed 20% of the taxes available for municipal purposes

The Municipality will maximize the use of alternative sources of funding such as grants, donations, user fees or reserves, for capital projects to minimize the requirement for debt.

Utility operations will operate as enterprise functions (financially self-sustaining) and all debt incurred for the utility functions will be repaid from utility rates.

The repayment term of the debt should try and match the expected life of the asset acquired; however, in no case will the maximum amortization period exceed the expected life of the asset. The maximum amortization period of the debt will not exceed thirty years unless authorized by the Council. The Corporate Services Director may recommend, to the CAO, a repayment term shorter than the expected life of the asset if it is financially advantageous to the Municipality.

The Corporate Services Director will set budget guidelines for the amount of debt and debt service costs that will be allowed in each year's financial plan.

Adopted by Council

Date: April 5, 2004

\_\_\_\_\_  
Mayor of Drumheller

\_\_\_\_\_  
Chief Administrative Officer

## REQUEST FOR DECISION

<b>TITLE:</b>	Bylaw 09.22 – Borrowing Bylaw Flood Mitigation Project
<b>DATE:</b>	July 18, 2022
<b>PRESENTED BY:</b>	Mauricio Reyes, CPA, CMA, CAMP Director of Corporate and Community Services
<b>ATTACHMENT:</b>	Appendix 1 – Bylaw 09.22 Flood Mitigation Project Appendix 2 – Debt Limit Calculation Appendix 3 – Debt Management Policy C-02-04 Appendix 4 – Bylaw 05.17 Flood Mitigation in East Midland and Newcastle Appendix 5 – Bylaw 04.18 Flood Mitigation in Central Drumheller

### SUMMARY:

The Flood Mitigation Project started near the end of 2019 with the goal of designing and building infrastructure to protect people and property in the Town of Drumheller. The project aims to build new berms and raise existing berms for the period 2020 to 2024.

The proposed bylaw provides for the option of financing the project either via debentures through the Alberta Treasury Board and Finance (formerly known as “Alberta Capital Finance Authority”) or through a bank loan. As the project is cash-flowed through 2024/25, the Town may elect to borrow all \$5 million at once or manage the borrowing through multiple loans over the completion of the project. Interest rates will not be known until closer to the dates of the borrowing, however an indication of rates and principal and interest payments are available through the Alberta website - <https://www.alberta.ca/loans-to-local-authorities.aspx>

### RECOMMENDATION:

That Council give second and third reading to Bylaw 09.22 – Flood Mitigation Project.

### DISCUSSION:

The current flood mitigation project was approved by Council in 2019. The purpose of the project is to build infrastructure to protect the people and property of Drumheller from loss due to flooding and changes in climate, preserve the value of property, and ensure risk is reduced to levels that allow financial and insurance products to remain available.

The funding breakdown for the Flood Mitigation Project is as follows:

Funding Agency	Grant Name (if applicable)	Amount
Alberta Government	Flood Relocation/Mitigation Buyouts Grant & Alberta Community Resilience Grants	\$ 28.0 million
Federal Government	Disaster Mitigation Adaptation Funding	\$ 22.0 million
Town of Drumheller	N/A	\$ 5.0 million
Total		\$ 55.0 million

The proposed bylaw has been drafted in accordance with sections 251, 253, 254, and 258 of the Municipal Government Act.

Furthermore, Administration recommends Council repeals Bylaw 05.17 and Bylaw 04.18, which were previously authorized to borrow for previously planned flood mitigation projects under the ACRP grant approval. These grants were combined with the larger project funding in 2019 and are Town contributions now form part of the overall \$5 million contribution.

**FINANCIAL IMPACT:**

Bylaw 09.22 will authorize Administration to borrow \$5.0 million on behalf of the Town, which increase the Town’s debt level and debt servicing costs. The debt servicing costs from this borrowing will be funded through the tax-supported budget and any future utility rates, if applicable.

**STRATEGIC POLICY ALIGNMENT:**

Good governance and fiscal sustainability. Protection of Community.

**COMMUNICATION STRATEGY:**

As per section 606(2)(a) of the Municipal Government Act, the bylaw must be advertised for two consecutive weeks after which electors of the Town of Drumheller have 15 days to prepare and submit a valid petition calling for a vote of electors to authorize the borrowing.

Borrowing bylaw 09.22 was advertised on the Drumheller Mail on June 22<sup>nd</sup> and June 29<sup>th</sup>, 2022. Administration received no petition either during or following the allowed period.

**COUNCIL MOTION:**

**MOTION:**

**Councillor** \_\_\_\_\_

That Council give second reading to 20 2 2 Drumheller Flood Mitigation Borrowing Bylaw 09. 2 2 as presented.


That Council give third reading to 20 2 2 Drumheller Flood Mitigation Borrowing Bylaw 09. 2 2 as presented.

**Seconded:** \_\_\_\_\_

**Councillor**

Mauricio Reyes

Prepared by:  
Mauricio Reyes, CPA, CMA, CAMP  
Director of Corporate & Community Services



Approved By:  
Darryl E. Drohomerski, C.E.T.  
Chief Administrative Officer

**TOWN OF DRUMHELLER  
BYLAW NUMBER 09.22**

*REPEALS 05.17 and 04.18*

A BYLAW OF THE TOWN OF DRUMHELLER, IN THE PROVINCE OF ALBERTA (HEREINAFTER REFERRED TO AS "THE MUNICIPALITY") TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURE(S) IN THE AMOUNT OF \$5,000,000 FOR THE PURPOSE OF FLOOD MITIGATION IN DRUMHELLER THROUGH BERM ENHANCEMENT AND CONSTRUCTION.

**WHEREAS**, The Town of Drumheller Council has decided to issue a bylaw pursuant to Section 258 of the *Municipal Government Act* to authorize financing for enhancement and construction of berms in the Town of Drumheller for flood mitigation.

Plans and specifications have been prepared and the total cost of the project is estimated to be \$55,000,000 and the Municipality estimates the following grants and contributions will be applied to the project:

Provincial Grants	\$28,000,000
Federal Grant	\$22,000,000
Debentures (Town)	\$5,000,000
Total Cost	\$55,000,000

In order to complete the project, and in agreement with both the Federal and Provincial Governments to fund 10% of the project, it will be necessary for the Municipality to borrow the sum of \$5,000,000, for a period not to exceed thirty (30) years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.

The estimated lifetime of the project financed under this bylaw is equal to or in excess of fifty (50) years.

The principal amount of the outstanding debt of the Municipality on December 31, 2021, is \$7,097,616 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

**NOW, THEREFORE**, the Town of Drumheller Council duly assembled, enacts as follows:

1. That for the purpose of flood mitigation in Drumheller through berm enhancement and construction, the sum of FIVE MILLION DOLLARS (\$5,000,000) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large, of which amount the full sum of FIVE MILLION DOLLARS (\$5,000,000) is to be paid by the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this bylaw, namely the enhancement and construction of the berms in Drumheller for the purpose of flood mitigation

3. The Municipality shall repay the indebtedness according to the repayment structure in effect, namely equal semi-annual or annual payments of combined principal and interest installments not to exceed thirty (30) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed seven percent (7%).
4. The Municipality shall levy and raise in each year municipal taxes or utility rates sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Municipality.
6. The net amount borrowed under the by-law shall be applied only to the project specified by this bylaw.

### **CITATION**

1. This Bylaw is cited as the 2022 Drumheller Flood Mitigation Borrowing Bylaw.

### **TRANSITIONAL**

1. Upon third reading of Bylaw 09.22, the Flood Mitigation Borrowing Bylaw 04.18 and Borrowing Bylaw 05.17 and all amendments are hereby repealed.
2. This Bylaw comes into force with third and final reading.

READ A FIRST TIME THIS 20<sup>th</sup> DAY OF JUNE , 2022.

READ A SECOND TIME THIS XX DAY OF XX, 2022.

READ A THIRD AND FINAL READING THIS XX DAY OF XX, 2022.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

Appendix 2  
Debt Limit Calculation

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	<u>Per Legislation</u>		<u>Per Council Policy C-02-04</u>	
2021 debt limit (1)	\$ 32,036,352	100.0%	\$ 19,221,811	100.0%
2022 Debt before new loans	\$ (6,367,675)	-19.9%	\$ (6,367,675)	-33.1%
2022 unused debt capacity before new	<u>\$ 25,668,677</u>	<u>80.1%</u>	<u>\$ 12,854,136</u>	<u>66.9%</u>
<u>Maximum loans authorized in 2022 (2)</u>				
Loan - Pen Booster Upgrades	\$ (1,200,000)	-3.7%	\$ (1,200,000)	-6.2%
Loan - Flood Mitigation Project	\$ (5,000,000)	-15.6%	\$ (5,000,000)	-26.0%
2022 unused debt capacity remaining after authorizing new loans	<u>\$ 19,468,677</u>	<u>60.8%</u>	<u>\$ 6,654,136</u>	<u>34.6%</u>

Notes:

1. 2021 debt limit has been used as 2022 debt limit is calculated at the end of the year
2. Maximum loans authorized is used to calculate remaining debt capacity. Actual debt capacity will depend on actual amount of loans taken which may be less if only a portion of the loans is taken in 2022



# DRUMHELLER

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## COUNCIL POLICY

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### COUNCIL POLICY # C-02-04

#### DEBT MANAGEMENT

##### POLICY STATEMENT:

The Town of Drumheller will annually review and modify, if considered necessary, a Long-Term Capital Financing Strategy. Such a Strategy will include such things as the acquisition of debt, the orderly repayment of debt, “pay as you go” philosophy, and other alternatives for capital project funding other than debt, while achieving financial stability for the Municipality’s annual operating requirements.

##### PROCEDURE:

The Council should, as part of its annual Strategy review, establish a maximum debt and debt service limit that is lower than the debt and debt-servicing limit established under the Municipal Government Act. This lower level should evaluate the overall financial situation of the municipality and the strategic plans that are in place. Possible limits are:

- Total debt will not exceed 60% of the debt limit established in the Municipal Government Act and regulations
- Total debt service costs will not exceed 60% of the debt service limit established in the Municipal Government Act and regulations
- Debt service costs for tax-supported debt will not exceed 20% of the taxes available for municipal purposes

The Municipality will maximize the use of alternative sources of funding such as grants, donations, user fees or reserves, for capital projects to minimize the requirement for debt.



Utility operations will operate as enterprise functions (financially self-sustaining) and all debt incurred for the utility functions will be repaid from utility rates.

The repayment term of the debt should try and match the expected life of the asset acquired; however, in no case will the maximum amortization period exceed the expected life of the asset. The maximum amortization period of the debt will not exceed thirty years unless authorized by the Council. The Corporate Services Director may recommend, to the CAO, a repayment term shorter than the expected life of the asset if it is financially advantageous to the Municipality.

The Corporate Services Director will set budget guidelines for the amount of debt and debt service costs that will be allowed in each year's financial plan.

Adopted by Council

Date: April 5, 2004

\_\_\_\_\_  
Mayor of Drumheller

\_\_\_\_\_  
Chief Administrative Officer

**BY-LAW NO. 04.18  
OF THE TOWN OF DRUMHELLER**

(hereinafter referred to as “the Municipality”)

**IN THE PROVINCE OF ALBERTA**

**This by-law authorizes the Council of the Municipality to incur indebtedness by the issuance of debenture(s) in the amount of \$497,400 for the purpose of Flood Mitigation in Central Drumheller through berm enhancement and construction.**

**WHEREAS:**

The Council of the Municipality has decided to issue a by-law pursuant to Section 258 of the *Municipal Government Act* to authorize the financing, undertaking and completion of the Flood Mitigation construction.

Plans and specifications have been prepared and the total cost of the project is estimated to be \$3.7million and the Municipality estimates the following grants and contributions will be applied to the project:

Provincial Grants	\$3,202,600
Debenture(s)	\$497,400
Total Cost	\$3,700,000

In order to complete the project it will be necessary for the Municipality to borrow the sum of \$497,400, for a period not to exceed 30 years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this by-law.

The estimated lifetime of the project financed under this by-law is equal to, or in excess of 75 years.

The principal amount of the outstanding debt of the Municipality at December 31, 2017 is \$9,605,204 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

**NOW, THEREFORE, THE COUNCIL OF THE MUNICIPALITY DULY ASSEMBLED, ENACTS AS FOLLOWS:**

1. That for the purpose of flood mitigation in Central Drumheller through berm enhancement and construction, the sum of FOUR HUNDRED AND NINETY-SEVEN THOUSAND AND FOUR HUNDRED DOLLARS (\$497,400) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large, of which amount the full sum of \$497,400 is to be paid by the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this by-law, namely the enhancement and construction of berms in Central Drumheller for flood mitigation.
3. The Municipality shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest instalments not to exceed THIRTY (30) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed EIGHT (8) percent.
4. The Municipality shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Municipality.
6. The net amount borrowed under the by-law shall be applied only to the project specified by this by-law.
7. This by-law comes into force on the date it is passed.

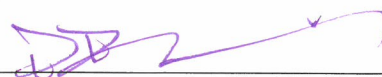
READ A FIRST TIME THIS 3rd DAY OF APRIL, 2018.

READ A SECOND TIME THIS 14<sup>th</sup> DAY OF MAY, 2018.

READ A THIRD TIME THIS 14<sup>th</sup> DAY OF MAY, 2018.



(CHIEF ELECTED OFFICIAL)



(CHIEF ADMINISTRATIVE OFFICER)

SEAL

**BY-LAW NO. 05.17  
OF THE TOWN OF DRUMHELLER**

(hereinafter referred to as “the Municipality”)

**IN THE PROVINCE OF ALBERTA**

**This by-law authorizes the Council of the Municipality to incur indebtedness by the issuance of debenture(s) in the amount of \$516,000 for the purpose of Flood Mitigation in East Midland and Newcastle, through berm enhancement and construction.**

**WHEREAS:**

The Council of the Municipality has decided to issue a by-law pursuant to Section 258 of the *Municipal Government Act* to authorize the financing, undertaking and completion of the flood mitigation construction.

Plans and specifications have been prepared and the total cost of the project is estimated to be \$3.73million and the Municipality estimates the following grants and contributions will be applied to the project:

Provincial Grants	\$3,211,000
Debenture(s)	<u>\$516,000</u>
Total Cost	\$3,727,000

In order to complete the project it will be necessary for the Municipality to borrow the sum of \$516,000, for a period not to exceed 30 years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this by-law.

The estimated lifetime of the project financed under this by-law is equal to, or in excess of 75 years.

The principal amount of the outstanding debt of the Municipality at December 31, 2016 is \$10,467,205 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.


**NOW, THEREFORE, THE COUNCIL OF THE MUNICIPALITY DULY ASSEMBLED, ENACTS AS FOLLOWS:**

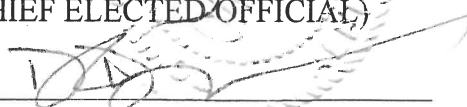
1. That for the purpose of flood mitigation in East Midland and Newcastle through berm enhancement and construction, the sum of FIVE HUNDRED AND SIXTEEN THOUSAND DOLLARS (\$516,000) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large, of which amount the full sum of \$ 516,000 is to be paid by the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this by-law, namely the enhancement and construction of berms in East Midland and Newcastle for flood mitigation.
3. The Municipality shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest instalments not to exceed THIRTY (30) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed EIGHT (8) percent.
4. The Municipality shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Municipality.
6. The net amount borrowed under the by-law shall be applied only to the project specified by this by-law.
7. This by-law comes into force on the date it is passed.

READ A FIRST TIME THIS 26<sup>TH</sup> DAY OF JUNE, 2017.

READ A SECOND TIME THIS 3<sup>RD</sup> DAY OF APRIL, 2018.

READ A THIRD TIME THIS 3<sup>RD</sup> DAY OF APRIL, 2018.

  
\_\_\_\_\_  
(CHIEF ELECTED OFFICIAL)

  
\_\_\_\_\_  
(CHIEF ADMINISTRATIVE OFFICER)

SEAL

## REQUEST FOR DECISION

<b>TITLE:</b>	Demolition and Remediation of: - Drumheller Health Centre - 25 Roper Road dwelling
<b>DATE:</b>	July 12, 2022
<b>PRESENTED BY:</b>	Dave Brett, P. Eng, PMP, Director of Infrastructure Services
<b>ATTACHMENT:</b>	Award recommendation letter - Colliers Project Leaders

### SUMMARY:

The original Drumheller Health Centre, located at 625 Riverside Drive East, was built in 1970 to replace an existing and aging facility in the same location. The Health Centre served Drumheller for 32 years before being decommissioned. Since that time the building has seen several owners, none of whom were willing to deal with the existing hazardous material issues. Due to this issue, the Town recently took ownership of the site in order demolition the building to allow for re-development of the site. To date, some asbestos remediation has taken place, however additional remediation is required prior to demolishing the building.

The residence located at 25 Roper Road Rosedale was purchased through the Flood Office and has been scheduled for demolition. Asbestos remediation is included in this scope of work.

Colliers Project Leaders (Colliers) was retained to manage the demolition project, which includes these sites. On June 8, 2022, a Request for Tender for the remediation and demolition of five (5) sites, including the old Health Centre and 25 Roper Road, was posted on the Collier's bid opportunities website, as well as the Town of Drumheller, Alberta Purchasing Connection, BuildWorks and MERX procurement websites. On the closing date of July 6, 2022, six (6) bids were received, and one (1) was deemed noncompliant and disregarded. The RFT as written allows the Town to award each of the sites individually. A summary of the bids for the work required at the old Health Centre and 25 Roper Road are summarized in the table below.

<b>Company</b>	<b>Cost for old Health Centre</b>	<b>Cost for 25 Roper Road</b>	<b>Total Cost (excluding GST)</b>
Roadbridge Services Ltd.	\$ 926,746.00	\$ 77,097.00	\$ 1,003,843.00
Titan Contracting & Demolition Ltd.	\$ 919,000.00	\$ 64,000.00	\$ 983,000.00
KBL Environmental	\$ 742,568.43	\$ 91,503.24	\$ 834,071.67
Zeuss Demo & Recycling	\$ 705,094.38	n/a	n/a
Action Plumbing	n/a	\$ 63,832.16	n/a
<b>McColman &amp; Sons Demolition Ltd.</b>	<b>\$ 689,743.00</b>	<b>\$ 61,607.00</b>	<b>\$ 751,350.00</b>

Colliers recommends that the Town award the demolition of these two sites to the lowest compliant bidders. In this case, McColman & Sons Demolition Ltd. provided the lowest compliant bids for each of these two sites. The total cost for the remediation and demolition of both sites by McColman & Sons Demolition Ltd. would be \$ \$ 751,350.00, excluding GST.

The additional sites will be awarded to two other contractors and are within the Director of Infrastructure Services and CAO's approval limits. No local contractors submitted for this work; however they may have submitted as subcontractors to the general contractors.

**RECOMMENDATION:**

Administration recommends awarding the remediation and demolition of the old Health Centre and 25 Roper Road to McColman & Sons Demolition Ltd. for a total cost of \$ 751,350.00, excluding GST.

**DISCUSSION:**

The bids are in alignment with each other and upon review of similar demolition projects in Alberta and in the greater Drumheller region, the costs per square foot of the demolition are with current market values.

Given the strategic priority of the old Health Centre's demolition and redevelopment, and the strategic priority of the Flood Mitigation work which the Roper Road residence is a part of, awarding this work at this time is warranted.

**WORKFORCE AND RESOURCES IMPACT:**

The work will be carried out by contractors and overseen by Colliers, with minimal staff resources being used for this work.

**FINANCIAL IMPACT:**

The total combined project cost is proposed at \$ \$ 751,350.00, excluding GST. Funding for these demolitions was identified under following GL codes:

- old Health Centre = 2.6.6600.641.2084
- 25 Roper Road = 2.6.2400.293.8015.135

Funding for the demolition of 25 Roper Road will be from the Flood Relocation/Mitigation Buyouts Grant program.

**STRATEGIC POLICY ALIGNMENT:**

Awarding these projects to McColman & Sons Demolition Ltd. aligns with the Town's strategic policies of providing safe and sustainable infrastructure, beautification, strong economic development, and fiscal responsibility.

**COMMUNICATION STRATEGY:**

Upon award, McColman & Sons Demolition Ltd. will receive a Letter of Award, and the unsuccessful proponents will receive Letters of Non-Award. An award summary will be posted on the websites noted above.

**Council Meeting:**

**MOTION:**

Councillor \_\_\_\_\_ moves that Council award the remediation and demolition work for the old Health Centre and 25 Roper Road to McColman & Sons Demolition Ltd. for a total cost of \$ 751,350.00, excluding GST.

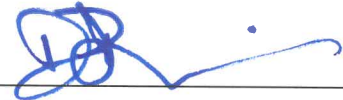
**SECONDED:**

*Libby Vant*

Prepared by:  
Libby Vant, BA, RSE  
Senior Administrative Assistant

*Dave Brett*

Reviewed by:  
Dave Brett  
Director of Infrastructure Services



Approved by:  
Darryl Drohomerski. C.E.T.  
Chief Administrative Officer



## Memorandum

To: **Dave Brett** For info of: **The Town of Drumheller**  
 From: Agustin Paz y Mino Doc Ref: P0303-1568035704-51 (1.0)  
 Project: Drumheller Institutional Demolitions Project Date: July 8, 2022  
 Subject: Memo - Bid Results

On June 8, 2022, Colliers Project Leaders issued a Request for Bid (RFB) on behalf of the Town of Drumheller for the Institutional & Residential Demolitions Project (document P0303-1568035704-20 (2.0)). In addition to the tender documents, four addenda were issued to extend the closing deadline and address questions that arose during the tender period.

The tender documents were posted on MERX portal, public website for contracts, bids, and tenders, as well as on the Town of Drumheller, Alberta Purchasing Connection, and Build Works websites. A mandatory pre-bid walkthrough was held on June 17, which was led by Colliers with the assistance of the Town. Twenty-three contractors and sub-trades attended the pre-bid walkthrough.

On the closing date of July 6, 2022, six bids were received. As shown in the attached document providing a summary of the bids received and the mandatory criteria evaluation, it was determined that five out of the six were compliant bids following the terms of the tender documents. The non-compliant bid was disqualified as a COI was not provided as part of the submitted documents.

The bid prices submitted included the hazmat abatement, demolition, and re-grading of site back to adjacent grades, as specified in the tender documents. Note that the costs for the hazmat abatement were identified separately within these submissions. Upon review, it was determined that the lowest-priced compliant bidders per building are the following:

Buildings	Contractor	Bid Cost	For Information Only	
			Demo and Re-grading Cost	Hazmat Abatement Cost
Health Centre	MCColman Sons Demolition	\$ 689,743.00	\$ 412,320.00	\$ 277,423.00
Consortium	Zeuss Demo Recycling	\$ 66,972.18	\$ 51,672.18	\$ 15,300.00
Nacmine	Titan Contracting Demolition	\$ 86,300.00	\$ 43,950.00	\$ 42,350.00
Residential (109 4St)	Titan Contracting Demolition	\$ 61,250.00	\$ 35,730.00	\$ 25,520.00
Residential (25 Roper)	MCColman Sons Demolition	\$ 61,607.00	\$ 26,607.00	\$ 35,000.00

Colliers Project Leaders recommends that the Town of Drumheller award the contracts to the lowest compliant bidders per each building that will be demolished, in accordance with the tender documents and the Canadian procurement law. Should you have any questions about the tender results, please contact the undersigned.

Sincerely,



**Agustin Paz y Mino**, EIT, PMP, LEED Green Associate  
Project Manager | Calgary

Attachment – Bid Evaluation

Contractors	Mandatory Criteria				Bid Costs					
	COI (Added Town & Colliers)	Attended Mandatory Site Visit	Appendix A (Signature Form)	Appendix B (Bid Form)	Health Centre	Consortium	Nacmine	Residential (109 4St)	Residential (25 Roper)	All 5
Action Plumbing	✓	✓	✓	✓	n/a	n/a	\$ 118,497.12	\$ 84,584.64	\$ 63,832.16	n/a
KBL Environmental	☒	✓	✓	✓	\$ 742,568.43	\$ 104,102.12	\$ 113,037.47	\$ 91,020.13	\$ 91,503.24	\$ 1,088,719.90
MCColman Sons Demolition	✓	✓	✓	✓	\$ 689,743.00	\$ 75,074.00	\$ 92,246.00	\$ 78,790.00	\$ 61,607.00	\$ 997,460.00
Roadbridge Services	✓	✓	✓	✓	\$ 926,746.00	\$ 123,453.00	\$ 126,650.00	\$ 84,745.00	\$ 77,097.00	\$ 1,310,791.00
Titan Contracting Demolition	✓	✓	✓	✓	\$ 919,000.00	\$ 70,060.00	\$ 86,300.00	\$ 61,250.00	\$ 64,000.00	\$ 1,200,610.00
Zeuss Demo Recycling	✓	✓	✓	✓	\$ 705,094.38	\$ 66,972.18	\$ 108,994.50	n/a	n/a	n/a

## REQUEST FOR DECISION

<b>TITLE:</b>	Trans Canada Trail Support
<b>DATE:</b>	June 29, 2022
<b>PRESENTED BY:</b>	Dave Brett, P. Eng, PMP, Director of Infrastructure Services
<b>ATTACHMENT:</b>	Map of Drumheller CN Rail lines

### **SUMMARY:**

The Trans Canada Trail is the longest network of multi-use recreational trails in the world. This unique system of connected urban and rural trails runs 28,000 km across Canada to all three coasts and links Canadians and visitors to nature, and to one another, through accessible and inclusive outdoor activities. It is a ribbon that connects Canada’s diverse landscapes, seasons, people and experiences, and fosters unity, collaboration and connectedness. This national trail is built, maintained and stewarded through collaboration and partnerships.

The Town of Drumheller has secured a 25 year lease of approximately 20 kilometres of unused CN Rail line that can be used as an extension to the current Trans Canada Trail network. This trail extension would provide improved connectivity, non-vehicle travel alternatives, and increased recreation and associated business opportunities. In order to explore this possibility further, a letter of interest from the Town explaining why we want to join the trail network, including letters of support from potential user groups and the community, is required for submission.

A motion from Council supporting this endeavour would be the first step toward connecting the Drumheller trail system into the national trail network. In collaboration with Travel Drumheller, Administration has begun the process of requesting letters of support from Travel Alberta, the Drumheller and District Chamber of Commerce, the Royal Tyrrell Museum, the Canalta Group, local vendors such as Bikes and Bites, and potential user groups.

### **RECOMMENDATION:**

It is our recommendation that Council pass a motion supporting Administration’s application to the Trans Canada Trail for a local trail extension along the leased former CN Rail line.

### **DISCUSSION:**

The Trans Canada Trail attracts tens of thousands of visitors each year, and its website showcases the 15,000 connected communities through “Trails Stories” and a variety of other media posts. Creating an extension of the Trans Canada Trail within Drumheller will have significant positive impacts to local tourism, brand recognition, and promotion of the valley. The proposed trail extension will provide an additional 20 kilometres of accessible trails for user groups of all abilities and ages. The trail will motivate residents and tourists to embrace the outdoors, to discover the diversity of our land and people, to enhance their health and well-being, and to share their stories along this iconic trail network.

### **FINANCIAL IMPACT:**

An annual funding amount of \$ 25,000.00 has been allocated for new trail development. This will be sufficient to create and erect signage for the trail extension in year one, and allow for initial development in strategic areas such as the downtown. Other funding for the annual maintenance

and the development of additional trail extension sections will be sought through federal and provincial grants.

**WORKFORCE AND RESOURCES IMPACT:**

As the CN Rail right of way is already graded and leveled with a firm base, the work required is limited to converting the surface to an active trail system and converting to pedestrian bridges. This work will primarily be done by contractors through the annual Street Improvement Program work. Annual and seasonal maintenance will be incorporated into the annual trail, street and park budgets, by Town staff. This will require an increase in Public Works Landscape staff, both permanent and seasonal.

**STRATEGIC POLICY ALIGNMENT:**

The creation of a local Trans Canada Trail extension along the leased former CN Rail lines has been identified as one of Council's strategic priorities.

**COMMUNICATION STRATEGY:**

Upon approval, the documentation will support Administration's application to Trans Canada Trail for the inclusion of this length into their national trail system. No additional communications are required at this time.

**MOTION:**

**Councillor:** \_\_\_\_\_ moves that Council supports the application to the Trans Canada Trail for a local trail extension along the unused CN Rail lines within the Town limits.

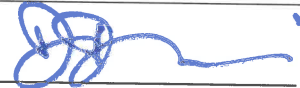
**SECONDED:**

*Libby Vant*

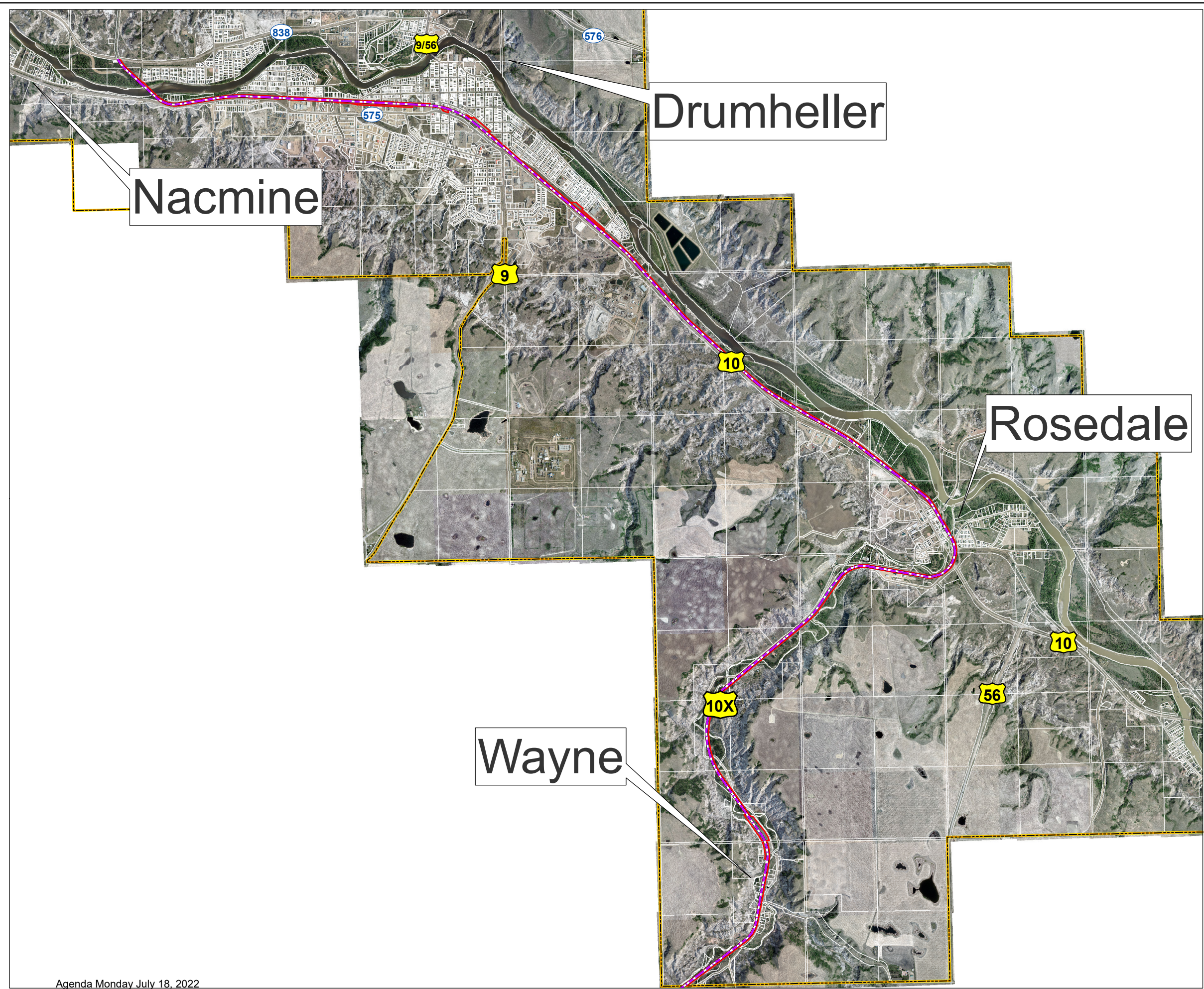
Prepared By:  
Libby Vant, BA, RSE  
Senior Administrative Assistant

*Dave Brett*

Reviewed by:  
Dave Brett  
Director of Infrastructure Services



Approved By:  
Darryl Drohomerski, C.E.T.  
Chief Administrative Officer



**Title: Proposed  
Trans Canada Trail**

- AS BUILT
- FOR CONSTRUCTION
- FOR TENDER
- FOR DISCUSSION
- CONCEPTUAL

Intended Print Size:  
 A3      ANSI D     Scale 1: 42,600

Future Trail Development  
Approx. 20 km